

EXHIBIT 21

1 Teresa Li (Bar No. 278779)
teresa@lawofficesofteresali.com
2 LAW OFFICES OF TERESA LI P.C.
315 Montgomery Street, 9th Floor
3 San Francisco, California 94104
Telephone: 415.423.3377
4 Facsimile: 888.646.5493

5 Attorneys for Plaintiffs
6 RUBEN JUAREZ AND ISELA
HERNANDEZ

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10
11 RUBEN JUAREZ, an individual and
ISELA HERNANDEZ, an individual,

12 Plaintiff,

13 v.

14 PRECISION VALVE & AUTOMATION,
15 Inc., a corporation and DOES 1-20,

16 Defendants.

Case No. CV-03342-ODW(GJSX)

**PLAINTIFF ISELA HERNANDEZ'S
RESPONSE TO DEFENDANT'S REQUEST
FOR PRODUCTION OF DOCUMENTS AND
ELECTRONICALLY STORED
INFORMATION (ESI), SET ONE (1)**

17
18 **PROPOUNDING PARTY: DEFENDANT, PRECISION VALVE & AUTOMATION**

19 **RESPONDING PARTY: PLAINTIFF, ISELA HERNANDEZ**

20 **SET NUMBER: ONE**

21 Pursuant to Federal Rules of Civil Procedure Rule 34, Plaintiff ISELA HERNANDEZ
22 hereby responds to Defendant PRECISION VALVE & AUTOMATION, INC.'s request for
23 production of documents and electronically stored information, set one (1).

24 **RESPONSES TO PRODUCTION OF DOCUMENTS AND ELECTRONICALLY**
25 **STORED INFORMATION**

26 **REQUEST FOR PRODUCTION NO. 1:**

27 All DOCUMENTS which support or in any way relate to YOUR allegations against
28

1 DEFENDANT in this case.

2 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

3 The request is overly broad, unduly burdensome, and oppressive. It also seeks
4 information that protected by the attorney-client privilege and the attorney work product doctrine.
5 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
6 subject thereto, Plaintiff responds: plaintiff has complied.

7 **REQUEST FOR PRODUCTION NO. 2:**

8 All DOCUMENTS which support or in any way relate to YOUR cause of action for Loss
9 of Consortium (Third Cause of Action) in the COMPLAINT.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

11 The request is overly broad, unduly burdensome, and oppressive. It also seeks
12 information that protected by the attorney-client privilege and the attorney work product doctrine.
13 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
14 subject thereto, Plaintiff responds: plaintiff has complied.

15 **REQUEST FOR PRODUCTION NO. 3:**

16 All DOCUMENTS which support or in any way relate to YOUR claim that Defendant's
17 wrongful conduct, acts and/or omissions "were a substantial factor in causing Plaintiff ISELA
18 HERNANDEZ to sustain loss of love, care companionship, comfort, assistance, protection,
19 society, moral support from Plaintiff RUBEN JUAREZ" as alleged in the COMPLAINT.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

21 The request is overly broad, unduly burdensome, and oppressive. It also seeks
22 information that protected by the attorney-client privilege and the attorney work product doctrine.
23 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
24 subject thereto, Plaintiff responds: plaintiff has complied.

25 **REQUEST FOR PRODUCTION NO. 4:**

26 All DOCUMENTS which document or relate to INJURIES which YOU allege were
27 caused, or were in any way contributed to, by Defendant's wrongful conduct, acts and/or
28 omissions, as alleged in YOUR COMPLAINT.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

The request is overly broad, unduly burdensome, and oppressive. It also seeks information that protected by the attorney-client privilege and the attorney work product doctrine. It also seeks a premature disclosure of expert opinions. Without waiving the objections and subject thereto, Plaintiff responds: plaintiff has complied.

REQUEST FOR PRODUCTION NO. 5:

All DOCUMENTS which document or relate to anything YOU did to determine what caused Isela Hernandez's injuries which are alleged in the COMPLAINT.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

The request is overly broad, unduly burdensome, and oppressive. It also seeks information that protected by the attorney-client privilege and the attorney work product doctrine. It also seeks a premature disclosure of expert opinions. It is vague and ambiguous and unintelligible. Without waiving the objections and subject thereto, Plaintiff responds: plaintiff has complied.

REQUEST FOR PRODUCTION NO. 6:

All DOCUMENTS which establish or in any way relate to whether plaintiffs' lawsuit is barred by the two-year statute of limitations found in Code of Civil Procedure section 335.1.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

The request is overly broad, unduly burdensome, and oppressive. It also seeks information that protected by the attorney-client privilege and the attorney work product doctrine. It also seeks a premature disclosure of expert opinions. Without waiving the objections and subject thereto, Plaintiff responds: plaintiff has complied.

REQUEST FOR PRODUCTION NO. 7:

YOUR most up-to-date resume and/or curriculum vitae.

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///

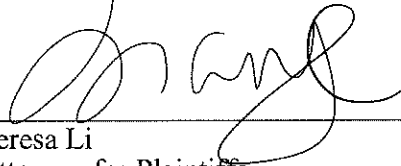
///

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

The request is overly broad, unduly burdensome, and oppressive. It is not relevant to the case. It violates Plaintiff's right of privacy. Plaintiff will not comply.

Dated: September 7, 2017

LAW OFFICES OF TERESA LI, P.C.



Teresa Li
Attorney for Plaintiffs
RUBEN JUAREZ AND ISELA
HERNANDEZ

PROOF OF SERVICE

State of California, County of San Francisco

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is 315 Montgomery Street, 9th Floor, San Francisco, CA 94104.

On the date listed below, I served the following documents: in the manner and/or manners described below to each of the parties herein and addressed as stated below:

- **PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET ONE (1)**
- **PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI), SET ONE (1)**
- **PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET ONE (1)**
- **PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI), SET ONE (1)**

Shahrad Milanfar
smilanfar@bkscal.com
Alex P. Catalona
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608

____ United States Postal Service, U.S. Mail, with First Class postage prepaid and deposited in a sealed envelope at San Francisco, CA. I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

____ Facsimile Transmission

____ Hand delivery by Courier: same day delivery

 X Other: E-Mail. pdf attachment

1
2 I certify and declare under penalty of perjury under the laws of the State of California that
3 the foregoing is true and correct.

4 Executed on September 8, 2017, at San Francisco, California. .

5 Teresa Li
6 Type or Print Name

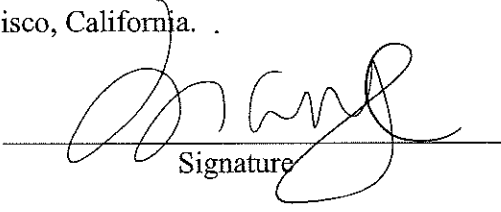
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Signature

EXHIBIT 22

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and ISELA
HERNANDEZ, an individual,

Plaintiffs,

vs.

PRECISION VALVE & AUTOMATION, Inc., a
corporation and DOES 1-20,

Defendants.

Case No.: CV17-03342-ODW(GJSX)

**DEFENDANT PRECISION VALVE &
AUTOMATION, INC.'S REQUESTS
FOR PRODUCTION OF DOCUMENTS
AND ELECTRONICALLY STORED
INFORMATION (ESI) TO PLAINTIFF
RUBEN JUAREZ, SET NO. TWO**

PROPOUNDING PARTIES: Defendant PRECISION VALVE &
AUTOMATION, INC.

RESPONDING PARTY: Plaintiff RUBEN JUAREZ

SET NO: TWO

Defendant PRECISION VALVE & AUTOMATION, INC. requests that the responding party, plaintiff RUBEN HERNANDEZ, respond to the following requests for production of documents and electronically stored information (ESI) (hereinafter "Requests For Production"), under oath, within thirty (30) days, pursuant to Federal Rule of Civil Procedure 34.

DEFINITIONS APPLICABLE TO ALL REQUESTS FOR PRODUCTION

1. The terms "DOCUMENT" and "DOCUMENTS" mean any "writing", "recording" and/or "photograph" as defined in Rule 1001 of the Federal Rules of Evidence including but not limited to the original, copy or electronic version of anything handwritten, typewritten, printed,

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

1 photostatic, photographic, computer, magnetic impulse, mechanical, electronic, or electronically
2 recorded, or any other form of data compilation; this also includes but is not limited to any
3 Electronically Stored Information ("ESI"), emails, texts, deposition transcripts, articles, notes,
4 letters, correspondence, memos, communications of any kind, etc.

5 2. The terms "YOU" and "YOUR" mean and refer to plaintiff RUBEN JUAREZ and
6 anyone acting on his behalf, including, but not limited to, attorneys, investigators, insurers, and
7 any other agents.

8 **REQUESTS FOR PRODUCTION**

9 **REQUEST FOR PRODUCTION NO. 18:**

10 All DOCUMENTS which in any way relate to any disability claim made by YOU from
11 2012 to the present.

12
13 Dated: October 31, 2017

BECHERER KANNETT & SCHWEITZER

14
15 By: 

Alex P. Catalona
Attorney for Defendant
PRECISION VALVE & AUTOMATION, INC.

16
17
18
19
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21
22 Becherer
Kannett &
Schweitzer

23
24 1255
Powell St.
Emeryville, CA
94608
510-658-3600
25
26
27
28

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA	)	CASE NO. 2:17-cv-03342 ODW (GJSx)
HERNANDEZ, an individual,)	
	)	[Los Angeles County Superior Court
Plaintiffs,	)	Case No. BC650229]
)	
v.	)	CERTIFICATE OF SERVICE
)	
PRECISION VALVE & AUTOMATION,)	
INC., a corporation and DOES 1-20,)	
)	
Defendants.)	

I, Jerry M. Dumlao, declare that I am employed in the County of Alameda, State of California; I am over the age of eighteen (18) years and not a party to the within entitled action; my business address is 1255 Powell Street, Emeryville, California 94608.

On **October 31, 2017**, I caused to be served the foregoing:

DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI) TO PLAINTIFF RUBEN JUAREZ, SET NO. TWO

In said action by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as follows:

Attorneys for Plaintiff

Teresa Li, Esq.
LAW OFFICES OF TERESA LI, PC
6701 Koll Center Parkway, Suite 250
Pleasanton, CA 94566
Telephone: (415) 423-3377
Facsimile: (888) 646-5493

Becherer
Kannett &
Schweitzer

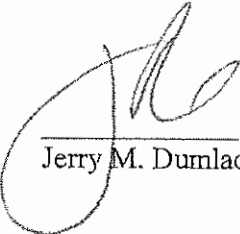
1255
Powell St.
Emeryville, CA
94608
510-658-3600

Email: teresa@lawofficesofteresali.com

☒ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed in the United States Mail at Emeryville, California. I am familiar with the mail collection practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those practices the envelope would be deposited with the United States Postal Service the same day.

☐ **(Electronic Filing)** I am familiar with the United States District Court, Eastern District of California's practice for collecting and processing electronic filings. Under that practice, documents are electronically filed with the court. The CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document.

Executed on October 31, 2017


Jerry M. Dumlao

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

EXHIBIT 23

1 Teresa Li (Bar No. 278779)
2 teresa@lawofficesofteresali.com
3 LAW OFFICES OF TERESA LI P.C.
4 6701 Koll Center Parkway, Suite 250
Pleasanton, California 94566
Telephone: 415.423.3377
Facsimile: 888.646.5493

5 Attorneys for Plaintiffs
6 RUBEN JUAREZ AND ISELA
HERNANDEZ

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 RUBEN JUAREZ, an individual and
12 ISELA HERNANDEZ, an individual,

13 Plaintiff,

14 v.

15 PRECISION VALVE & AUTOMATION,
Inc., a corporation and DOES 1-20,

16 Defendants.
17

Case No. CV-03342-ODW(GJSX)

**PLAINTIFF RUBEN JUAREZ'S RESPONSE
TO DEFENDANT'S REQUEST FOR
PRODUCTION OF DOCUMENTS AND
ELECTRONICALLY STORED
INFORMATION (ESI), SET TWO (2)**

18 **PROPOUNDING PARTY: DEFENDANT, PRECISION VALVE & AUTOMATION**

19 **RESPONDING PARTY: PLAINTIFF, RUBEN JUAREZ**

20 **SET NUMBER: TWO**

21 Pursuant to Federal Rules of Civil Procedure Rule 34, Plaintiff RUBEN JUAREZ hereby
22 responds to Defendant PRECISION VALVE & AUTOMATION, INC.'s request for production
23 of documents and electronically stored information, set two (2).
24

25 **RESPONSES TO PRODUCTION OF DOCUMENTS AND**
ELECTRONICALLY STORED INFORMATION

26 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 18**

27 All DOCUMENTS which in any way relate to any disability claim made by you from
28

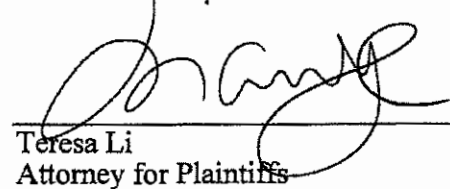
1 2012 to the present.

2 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

3 The request is overly broad, unduly burdensome, and oppressive. It also seeks
4 information that protected by the attorney-client privilege and the attorney work product doctrine.
5 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
6 subject thereto, Plaintiff responds: plaintiff has no responsive documents in his possession.

7 Dated: December 5, 2017

LAW OFFICES OF TERESA LI, P.C.

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9 
10 Teresa Li
11 Attorney for Plaintiffs
12 RUBEN JUAREZ AND ISELA
13 HERNANDEZ
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1 **PROOF OF SERVICE**

2 RE: Juarez v. PVA

3 I am employed in the County of Alameda, State of California. I am over the age of 18
4 years and not a party to the within action. My business address is 6701 Koll Center Parkway,
5 Suite 250, Pleasanton, CA 94566.

6 On December 6, 2017, I served a copy of the following document:

7 **PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST**
8 **FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED**
9 **INFORMATION (ESI), SET TWO (2)**

10 on the below listed parties in this action as follows:

11 Shahrad Milanfar
12 Alex P. Catalona
13 BECHERER KANNETT & SCHWEITZER
14 1255 Powell Street
15 Emeryville, CA 94608

16 XXX **BY MAIL:** I placed such envelope on the above date with postage fully prepaid,
17 for deposit in the U.S Postal Service at my place of business in Pleasanton,
18 California, following the ordinary business practices of my place of business. I
19 am readily familiar with the business practice at my place of business for
20 collection and processing of correspondence for mail with the U.S. Postal Service.
21 Under the practice, such correspondence is deposited with the U.S. Postal Service
22 the same day it is collected and processed in the ordinary course of business.

23 **BY FAX:** I caused such document to be transmitted by facsimile transmission to
24 a facsimile machine maintained by the person on whom it is served at the
25 facsimile number as last given by that person on any document which he or she
26 has filed in the case. I caused such by sending a true copy from Teresa Li's
27 facsimile number, and that transmission reported as complete and without error to
28 the following facsimile number: _____.

BY PERSONAL SERVICE: I caused such document to be delivered by hand to
the above listed party.

24 I declare under penalty of perjury under the laws of the State of California that the
25 foregoing is true and correct and that this document was executed at Pleasanton, California on
26 December 6, 2017.


27 
28 JODI ALTIZER

EXHIBIT 24

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and ISELA
HERNANDEZ, an individual,

Plaintiffs,

vs.

PRECISION VALVE & AUTOMATION, Inc., a
corporation and DOES 1-20,

Defendants.

Case No.: CV17-03342-ODW(GJSX)

**DEFENDANT PRECISION VALVE &
AUTOMATION, INC.'S REQUESTS
FOR PRODUCTION OF DOCUMENTS
AND ELECTRONICALLY STORED
INFORMATION (ESI) TO PLAINTIFF
ISELA HERNANDEZ, SET NO. TWO**

PROPOUNDING PARTIES: Defendant PRECISION VALVE &
AUTOMATION, INC.

RESPONDING PARTY: Plaintiff ISELA HERNANDEZ

SET NO: TWO

Defendant PRECISION VALVE & AUTOMATION, INC. requests that the responding party, plaintiff ISELA HERNANDEZ, respond to the following requests for production of documents and electronically stored information (ESI) (hereinafter "Requests For Production"), under oath, within thirty (30) days, pursuant to Federal Rule of Civil Procedure 34.

DEFINITIONS APPLICABLE TO ALL REQUESTS FOR PRODUCTION

1. The terms "DOCUMENT" and "DOCUMENTS" mean any "writing", "recording" and/or "photograph" as defined in Rule 1001 of the Federal Rules of Evidence including but not limited to the original, copy or electronic version of anything handwritten, typewritten, printed,

-1-

DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S REQUESTS FOR PRODUCTION OF
DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI) TO PLAINTIFF ISELA
HERNANDEZ, SET NO. TWO

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Schweitzer

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Powell St.
Emeryville, CA
94608
510-658-3600

1 photostatic, photographic, computer, magnetic impulse, mechanical, electronic, or electronically
2 recorded, or any other form of data compilation; this also includes but is not limited to any
3 Electronically Stored Information ("ESI"), emails, texts, deposition transcripts, articles, notes,
4 letters, correspondence, memos, communications of any kind, etc.

5 **REQUESTS FOR PRODUCTION**


6 **REQUEST FOR PRODUCTION NO. 8:**

7 All DOCUMENTS which establish or in any way relate to whether plaintiffs' lawsuit is
8 barred by the two-year statute of limitations found in California Code of Civil Procedure section
9 340.8.

10 Dated: April 3, 2018

BECHERER KANNETT & SCHWEITZER

11
12
13 By:


14 Alex P. Catalona
15 Attorney for Defendant
16 PRECISION VALVE & AUTOMATION, INC.
17
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19
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22 Becherer
23 Kannett &
Schweitzer

24 2200
Dowell St
Suite 805
Emeryville, CA
94608
510-636-3600
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Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
 Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
 BECHERER KANNETT & SCHWEITZER
 1255 Powell Street
 Emeryville, CA 94608
 Telephone: (510) 658-3600
 Facsimile: (510) 658-1151

Attorneys for Defendant
 PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA	)	CASE NO. 2:17-cv-03342 ODW (GJSx)
HERNANDEZ, an individual,)	
	)	[Los Angeles County Superior Court
Plaintiffs,	)	Case No. BC650229]
)	
v.	)	CERTIFICATE OF SERVICE
)	
PRECISION VALVE & AUTOMATION,)	
INC., a corporation and DOES 1-20,)	
)	
Defendants.)	

I, Jerry M. Dumlao, declare that I am employed in the County of Alameda, State of California; I am over the age of eighteen (18) years and not a party to the within entitled action; my business address is 1255 Powell Street, Emeryville, California 94608.

On **April 3, 2018**, I caused to be served the foregoing:

DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI) TO PLAINTIFF ISELA HERNANDEZ, SET NO. TWO

In said action by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as follows:

Attorneys for Plaintiff

Teresa Li, Esq.
 LAW OFFICES OF TERESA LI, PC
 6701 Koll Center Parkway, Suite 250
 Pleasanton, CA 94566
 Telephone: (415) 423-3377
 Facsimile: (888) 646-5493

Becherer
 Kannett &
 Schweitzer

1255
 Powell St.
 Emeryville, CA
 94608
 510-658-3600

Email: teresa@lawofficesofteresali.com

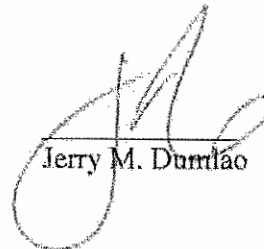
☐ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed in the United States Mail at Emeryville, California. I am familiar with the mail collection practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those practices the envelope would be deposited with the United States Postal Service the same day.

☒ (By Personal Delivery) I caused such envelope to be delivered by hand to the office of the addressee(s).

☐ (Via Facsimile) I caused said document(s) to be transmitted to the facsimile number(s) of the addressee(s) designated.

☐ **(Electronic Filing)** I am familiar with the United States District Court, Eastern District of California's practice for collecting and processing electronic filings. Under that practice, documents are electronically filed with the court. The CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document.

Executed on March 2, 2018.


Jerry M. Dumlao

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

EXHIBIT 25

1 Teresa Li (Bar No. 278779)
2 teresa@lawofficesofteresali.com
3 LAW OFFICES OF TERESA LI P.C.
4 315 Montgomery Street, 9th Floor
5 San Francisco, California 94104
6 Telephone: 415.423.3377
7 Facsimile: 888.646.5493

8 Attorneys for Plaintiffs
9 RUBEN JUAREZ AND ISELA
10 HERNANDEZ

11 Daniel K. Balaban
12 Daniel@dbaslaw.com
13 BALABAN & SPIELBERGER, LLP
14 11999 San Vincente Boulevard
15 Suite 345
16 Los Angeles, CA 90049
17 Telephone: 424.832.7677
18 Facsimile: 424.832.7702

19 Attorneys for Plaintiffs
20 RUBEN JUAREZ and ISELA HERNANDEZ

21 UNITED STATES DISTRICT COURT
22 CENTRAL DISTRICT OF CALIFORNIA

23 RUBEN JUAREZ, an individual and
24 ISELA HERNANDEZ, an
25 individual,

26 Plaintiff,

27 v.

28 PRECISION VALVE &
AUTOMATION, Inc., a corporation
and DOES 1-20,

Defendants.

Case No. CV-03342-ODW(GJSX)

**PLAINTIFF ISELA HERNANDEZ'S
RESPONSE TO DEFENDANT'S
REQUEST FOR PRODUCTION OF
DOCUMENTS AND
ELECTRONICALLY STORED
INFORMATION (ESI), SET TWO (2)**

**PROPOUNDING PARTY: DEFENDANT, PRECISION VALVE &
AUTOMATION**

RESPONDING PARTY: PLAINTIFF, ISELA HERNANDEZ

1 **SET NUMBER: TWO**

2 Pursuant to Federal Rules of Civil Procedure Rule 34, Plaintiff ISELA
3 HERNANDEZ hereby responds to Defendant PRECISION VALVE &
4 AUTOMATION, INC.'s request for production of documents and electronically
5 stored information, set two (2).

6 **RESPONSES TO PRODUCTION OF DOCUMENTS AND**
7 **ELECTRONICALLY STORED INFORMATION**
8 **REQUEST FOR PRODUCTION NO. 8:**

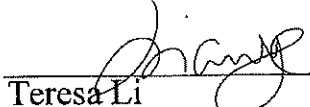
9 All DOCUMENTS which establish or in any way relate to whether
10 Plaintiffs' lawsuit is barred by the two-year statute of limitations found in
11 California Code of Civil Procedure section 340.8.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

13 Plaintiff has complied.

14 Dated: May 8, 2018

LAW OFFICES OF TERESA LI, P.C.

16
17 
18 Teresa Li
19 Attorney for Plaintiffs
20 RUBEN JUAREZ AND ISELA
21 HERNANDEZ
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1 **PROOF OF SERVICE**

2 RE: *Juarez v. PVA*

3 I am employed in the County of Alameda, State of California. I am over the age of 18
4 years and not a party to the within action. My business address is 6701 Koll Center Parkway,
5 Suite 250, Pleasanton, CA 94566.

6 On May 8, 2018, I served a copy of the following document: **PLAINTIFF RUBEN**
7 **JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES,**
8 **SET TWO (2); PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S**
9 **REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY**
10 **STORED INFORMATION (ESI), SET THREE (3); PLAINTIFF ISELA HERNANDEZ'S**
11 **RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET TWO (2);**
12 **PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR**
13 **PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED**
14 **INFORMATION (ESI), SET TWO (2) on the below listed parties in this action as follows:**

15 Alex P. Catalona
16 BECHERER KANNETT & SCHWEITZER
17 1255 Powell Street
Emeryville, CA 94608

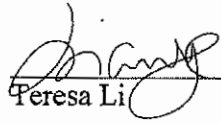
18 X **BY MAIL:** I placed such envelope on the above date with postage fully prepaid,
19 for deposit in the U.S Postal Service at my place of business in Pleasanton,
20 California, following the ordinary business practices of my place of business. I
21 am readily familiar with the business practice at my place of business for
collection and processing of correspondence for mail with the U.S. Postal Service.
Under the practice, such correspondence is deposited with the U.S. Postal Service
the same day it is collected and processed in the ordinary course of business.

22 **BY FAX:** I caused such document to be transmitted by facsimile transmission to
23 a facsimile machine maintained by the person on whom it is served at the
24 facsimile number as last given by that person on any document which he or she
25 has filed in the case. I caused such by sending a true copy from Teresa Li's
facsimile number, and that transmission reported as complete and without error to
the following facsimile number: _____.

26 **BY PERSONAL SERVICE:** I caused such document to be delivered by hand to
the above listed party.

27 I declare under penalty of perjury under the laws of the State of California that the
28 foregoing is true and correct and that this document was executed at Pleasanton, California on

May 8, 2018.


Teressa Li

RECEIVED
MAY 14 2018
BY BKS

EXHIBIT 26

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and ISELA
HERNANDEZ, an individual,

Plaintiffs,

vs.

PRECISION VALVE & AUTOMATION, Inc., a
corporation and DOES 1-20,

Defendants.

Case No.: CV17-03342-ODW(GJSX)

**DEFENDANT PRECISION VALVE &
AUTOMATION, INC.'S REQUESTS
FOR PRODUCTION OF DOCUMENTS
AND ELECTRONICALLY STORED
INFORMATION (ESI) TO PLAINTIFF
RUBEN JUAREZ, SET NO. THREE**

PROPOUNDING PARTIES: Defendant PRECISION VALVE &
AUTOMATION, INC.

RESPONDING PARTY: Plaintiff RUBEN JUAREZ

SET NO: THREE

Defendant PRECISION VALVE & AUTOMATION, INC. requests that the responding party, plaintiff RUBEN HERNANDEZ, respond to the following requests for production of documents and electronically stored information (ESI) (hereinafter "Requests For Production"), under oath, within thirty (30) days, pursuant to Federal Rule of Civil Procedure 34.

DEFINITIONS APPLICABLE TO ALL REQUESTS FOR PRODUCTION

1. The terms "DOCUMENT" and "DOCUMENTS" mean any "writing", "recording" and/or "photograph" as defined in Rule 1001 of the Federal Rules of Evidence including but not limited to the original, copy or electronic version of anything handwritten, typewritten, printed,

-1-

DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S REQUESTS FOR PRODUCTION OF
DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI) TO PLAINTIFF RUBEN JUAREZ,
SET NO. THREE

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

1 photostatic, photographic, computer, magnetic impulse, mechanical, electronic, or electronically
2 recorded, or any other form of data compilation; this also includes but is not limited to any
3 Electronically Stored Information ("ESI"), emails, texts, deposition transcripts, articles, notes,
4 letters, correspondence, memos, communications of any kind, etc.

5 **REQUEST FOR PRODUCTION**

6 **REQUEST FOR PRODUCTION NO. 19:**

7 All DOCUMENTS which establish or in any way relate to whether plaintiffs' lawsuit is
8 barred by the two-year statute of limitations found in California Code of Civil Procedure section
9 340.8.

10
11 Dated: April 3, 2018

BECHERER KANNETT & SCHWEITZER

12
13
14 By: 

Alex P. Catalona
Attorney for Defendant
PRECISION VALVE & AUTOMATION, INC.

15
16
17
18
19
20
21
22 Becherer
Kannett &
Schweitzer

23
24 2200
Powell St.
Suite 805
Emeryville, CA
94608
510-658-3600

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
 Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
 BECHERER KANNETT & SCHWEITZER
 1255 Powell Street
 Emeryville, CA 94608
 Telephone: (510) 658-3600
 Facsimile: (510) 658-1151

Attorneys for Defendant
 PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA	)	CASE NO. 2:17-cv-03342 ODW (GJSx)
HERNANDEZ, an individual,		
Plaintiffs,		[Los Angeles County Superior Court Case No. BC650229]
v.	)	CERTIFICATE OF SERVICE
)	
PRECISION VALVE & AUTOMATION,)	
INC., a corporation and DOES 1-20,)	
)	
Defendants.)	

I, Jerry M. Dumlao, declare that I am employed in the County of Alameda, State of California; I am over the age of eighteen (18) years and not a party to the within entitled action; my business address is 1255 Powell Street, Emeryville, California 94608.

On April 3, 2018, I caused to be served the foregoing:

DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI) TO PLAINTIFF RUBEN JUAREZ, SET NO. TWO

In said action by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as follows:

Attorneys for Plaintiff

Teresa Li, Esq.
 LAW OFFICES OF TERESA LI, PC
 6701 Koll Center Parkway, Suite 250
 Pleasanton, CA 94566
 Telephone: (415) 423-3377
 Facsimile: (888) 646-5493

Becherer
 Kannett &
 Schweitzer

1255
 Powell St.
 Emeryville, CA
 94608
 510-658-3600

Email: teresa@lawofficesofteresali.com

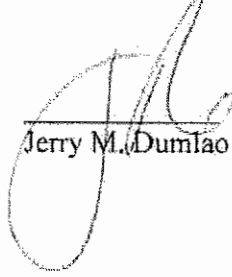
☐ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed in the United States Mail at Emeryville, California. I am familiar with the mail collection practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those practices the envelope would be deposited with the United States Postal Service the same day.

☒ (By Personal Delivery) I caused such envelope to be delivered by hand to the office of the addressee(s).

☐ (Via Facsimile) I caused said document(s) to be transmitted to the facsimile number(s) of the addressee(s) designated.

☐ (Electronic Filing) I am familiar with the United States District Court, Eastern District of California's practice for collecting and processing electronic filings. Under that practice, documents are electronically filed with the court. The CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document.

Executed on March 2, 2018.


Jerry M. Dumlao

Becherer
Kannett &
Schweitzer

1255
Powell St
Emeryville, CA
94608
510-658-3600

EXHIBIT 27

1 Teresa Li (Bar No. 278779)
2 teresa@lawofficesofteresali.com
3 LAW OFFICES OF TERESA LI P.C.
4 6701 Koll Center Parkway, Suite 250
Pleasanton, California 94566
Telephone: 415.423.3377
Facsimile: 888.646.5493

5 Attorneys for Plaintiffs
6 RUBEN JUAREZ AND ISELA
HERNANDEZ

7 Daniel K. Balaban
8 Daniel@dbaslaw.com
9 BALABAN & SPIELBERGER, LLP
10 11999 San Vincente Boulevard
Suite 345
Los Angeles, CA 90049
Telephone: 424.832.7677
Facsimile: 424.832.7702

11 Attorneys for Plaintiffs
12 RUBEN JUAREZ and ISELA
13 HERNANDEZ
14
15

16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA

18 RUBEN JUAREZ, an individual and
19 ISELA HERNANDEZ, an
20 individual,

21 Plaintiff,

22 v.

23 PRECISION VALVE &
24 AUTOMATION, Inc., a corporation
and DOES 1-20,

25 Defendants.
26

Case No. CV-03342-ODW(GJSX)

**PLAINTIFF RUBEN JUAREZ'S
RESPONSE TO DEFENDANT'S
REQUEST FOR PRODUCTION OF
DOCUMENTS AND
ELECTRONICALLY STORED
INFORMATION (ESI), SET THREE (3)**

27 **PROPOUNDING PARTY: DEFENDANT, PRECISION VALVE &**
28 **AUTOMATION**

1 **RESPONDING PARTY: PLAINTIFF, RUBEN JUAREZ**

2 **SET NUMBER: THREE**

3 Pursuant to Federal Rules of Civil Procedure Rule 34, Plaintiff RUBEN
4 JUAREZ hereby responds to Defendant PRECISION VALVE & AUTOMATION,
5 INC.'s request for production of documents and electronically stored information,
6 set two (2).

7 **RESPONSES TO PRODUCTION OF DOCUMENTS AND**
8 **ELECTRONICALLY STORED INFORMATION**

9 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 18**

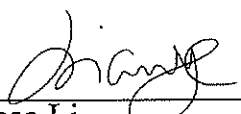
10 All DOCUMENTS which establish or in any way relate to whether plaintiffs'
11 lawsuit is barred by the two-year statute of limitations found in California Code of
12 Civil Procedure section 340.8.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

14 Plaintiff has complied.

15 Dated: May 8, 2018

LAW OFFICES OF TERESA LI, P.C.

17 
18 _____
19 Teresa Li
20 Attorney for Plaintiffs
21 RUBEN JUAREZ AND ISELA
22 HERNANDEZ
23
24
25
26
27
28

1 **PROOF OF SERVICE**

2 RE: *Juarez v. PVA*

3 I am employed in the County of Alameda, State of California. I am over the age of 18
4 years and not a party to the within action. My business address is 6701 Koll Center Parkway,
5 Suite 250, Pleasanton, CA 94566.

6 On May 8, 2018, I served a copy of the following document: **PLAINTIFF RUBEN**
7 **JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES,**
8 **SET TWO (2); PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S**
9 **REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY**
10 **STORED INFORMATION (ESI), SET THREE (3); PLAINTIFF ISELA HERNANDEZ'S**
11 **RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET TWO (2);**
12 **PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR**
13 **PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED**
14 **INFORMATION (ESI), SET TWO (2)** on the below listed parties in this action as follows:

15 Alex P. Catalona
16 BECHERER KANNETT & SCHWEITZER
17 1255 Powell Street
Emeryville, CA 94608

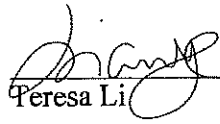
18 X **BY MAIL:** I placed such envelope on the above date with postage fully prepaid,
19 for deposit in the U.S Postal Service at my place of business in Pleasanton,
20 California, following the ordinary business practices of my place of business. I
21 am readily familiar with the business practice at my place of business for
collection and processing of correspondence for mail with the U.S. Postal Service.
Under the practice, such correspondence is deposited with the U.S. Postal Service
the same day it is collected and processed in the ordinary course of business.

22 **BY FAX:** I caused such document to be transmitted by facsimile transmission to
23 a facsimile machine maintained by the person on whom it is served at the
24 facsimile number as last given by that person on any document which he or she
has filed in the case. I caused such by sending a true copy from Teresa Li's
facsimile number, and that transmission reported as complete and without error to
the following facsimile number: _____.

25 **BY PERSONAL SERVICE:** I caused such document to be delivered by hand to
26 the above listed party.

27 I declare under penalty of perjury under the laws of the State of California that the
28 foregoing is true and correct and that this document was executed at Pleasanton, California on

May 8, 2018.


Teresa Li

RECEIVED
MAY 14 2018
BY BKS

EXHIBIT 28

Plaintiffs' Privilege Log

Case: Juarez v. PVA
Created: 10-31-2017

Content of the Document Withheld	Author	Privilege
Notes from speaking with the clients and witnesses	Teresa Li, Esq.	Attorney-client privilege and attorney work product

EXHIBIT 29

Catalona, Alex

From: Teresa Li <teresa@lawofficesofteresali.com>
Sent: Sunday, June 24, 2018 9:35 AM
To: Catalona, Alex
Cc: Teresa Li; Dumlao, Jerry; Daniel Balaban
Subject: Re: Ruben Juarez, et al. v. Precision Valve & Automation, et al.

The same as last year. No amendment.

Teresa
Teresa Li, Esq.
Law Offices of Teresa Li, PC
East Bay Office:
6701 Koll Center Parkway, Suite 250
Pleasanton, CA 94566
Phone: (888) 635-3259
Fax: (888) 646-5493
Email: Teresa@LawOfficesOfTeresaLi.com
www.lawofficesofteresali.com

San Francisco Satellite Office:
315 Montgomery Street, 9th Floor
San Francisco, CA 94104
Phone: (415) 423-3377
Fax: (415) 423-3402

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On Jun 23, 2018, at 1:27 PM, Catalona, Alex <acatalona@bkscal.com> wrote:

Teresa, your most recent discovery responses again include objections based on the attorney client privilege and work product doctrine. Will you be amending your privilege log previously served in October of last year? Or, does that document cover all of the documents that are the subject of your objections based on the attorney client privilege and work product doctrine?

From: Teresa Li [<mailto:teresa@lawofficesofteresali.com>]
Sent: Thursday, May 03, 2018 5:11 PM
To: Dumlao, Jerry <jdumlao@bkscal.com>
Cc: Teresa Li <teresa@lawofficesofteresali.com>; Catalona, Alex <acatalona@bkscal.com>; Daniel Balaban <daniel@dbaslaw.com>
Subject: Re: Ruben Juarez, et al. v. Precision Valve & Automation, et al.

Jerry,

Thanks. As per our filing, please include my co-counsel Dan Balaban in the loop on all filing and service. He is cc-ed. Thanks,

Teresa

Teresa Li, Esq.
Law Offices of Teresa Li, PC
East Bay Office:
6701 Koll Center Parkway, Suite 250
Pleasanton, CA 94566
Phone: (888) 635-3259
Fax: (888) 646-5493
Email: Teresa@LawOfficesOfTeresaLi.com
www.lawofficesofteresali.com

San Francisco Satellite Office:
315 Montgomery Street, 9th Floor
San Francisco, CA 94104
Phone: (415) 423-3377
Fax: (415) 423-3402

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On May 3, 2018, at 2:30 PM, Dumlao, Jerry <jdumlao@bkscal.com> wrote:

Dear Ms. Li,

Attached please find a letter from Alex Catalona to you of this date. If you are unable to open the attachment, please let me know at your earliest opportunity.

If you have any questions, please feel free to contact Mr. Catalona.


Best regards,
Jerry Dumlao

Jerry M. Dumlao
Legal Assistant to Alex P. Catalona
Becherer Kannett & Schweitzer
1255 Powell Street
Emeryville, CA 94608
Tel: (510) 597-3348

Southern California: 85 North Raymond Avenue | Pasadena, CA 91103
Email: jdumlao@bkscal.com | www.bkscal.com

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 Thank you for considering the environment before printing this e-mail.

<Letter to T. Li re link to add'l doc production.pdf>

EXHIBIT 30

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3

4 RUBEN JUAREZ, an individual and) CASE NO.
ISELA HERNANDEZ, an individual,) CV17-03342-ODW(GJSX)

5)
6 Plaintiffs,)

7 vs.)
8)

9 PRECISION VALVE & AUTOMATION,)
INC., a corporation and DOES 1-20,)

10 Defendants.)
11)
12)
13)

14 VIDEO-RECORDED DEPOSITION OF

15 RUBEN JUAREZ

16 VOLUME 1

17 Burbank, California

18 Thursday, March 8, 2018
19
20
21
22

23 Reported By:

24 Elizabeth Schmidt

25 CSR No. 13598

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and) CASE NO.
ISELA HERNANDEZ, an individual,) CV17-03342-ODW(GJSX)
)
Plaintiffs,)
)
vs.)
)
)
PRECISION VALVE & AUTOMATION,)
INC., a corporation and DOES 1-20,)
)
Defendants.)
_____)

Deposition of RUBEN JUAREZ, Volume I, taken on
behalf of Defendant, at 2500 North Hollywood Way,
Room P125E, Burbank, California, beginning at 9:03 A.M.
and ending at 2:19 P.M., on March 8, 2018, before
Elizabeth Schmidt, Certified Shorthand Reporter
No. 13598.

1 APPEARANCES:

2 For Plaintiff:

3 LAW OFFICES OF TERESA LI, PC

BY: TERESA LI, ESQ.

4 6701 Koll Center Parkway

Suite 250

5 Pleasanton, California 94566

(415) 423-3377

6 teresa@lawofficesofteresali.com

7
8 For Defendant:

9 BECHERER KANNETT & SCHWEITZER

BY: ALEX P. CATALONA, ESQ.

10 1255 Powell Street

Emeryville, California 94608

11 (510) 658-3600

acatalona@bksca.com

12
13
14
15 ALSO PRESENT: JULIO PENA, Videographer
16
17
18
19
20
21
22
23
24
25

I N D E X

WITNESS

RUBEN JUAREZ

Examination by:

Page

Mr. Catalona

7

E X H I B I T S

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Exhibit 10	- Arathane 5750-A/B(LV) MSDS	110
Exhibit 11	- isopropyl alcohol MSDS	110
Exhibit 12	- HumiSeal 1A33 aerosol MSDS	110
Exhibit 13	- HumiSeal 285 MSDS	110
Exhibit 14	- HumiSeal thinner 521EU MSDS	110

EXHIBITS, CONTINUED

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Exhibit 17	- 5/20/15 deposition transcript	117
Exhibit 18	- handwritten note on note card	149

Burbank, California

Thursday, March 8, 2018

9:03 A.M.

* * *

THE VIDEOGRAPHER: Good morning. We're on 09:03:43
the record at 9:02 A.M. on March 8, 2018. Please note
that microphones are sensitive and might pick up
whispers, private conversations, and cellular
interference. Audio and video recording will continue
to take place unless all parties agree to go off the 09:04:00
record.

This is the video-recorded deposition of
Ruben Juarez taken by counsel for Defendant in the
matter of Juarez vs. Precision Valve & Automation,
Incorporated. This deposition is being held at 09:04:15
Los Angeles Marriott Burbank located in Burbank,
California. My name is Julio Pena from Veritext, and
I am the videographer. The court reporter is
Elizabeth Schmidt from Veritext. I am not related to
any party in this action, nor am I financially 09:04:33
interested in the outcome.

If there are any objections to proceeding,
please state them at the time of your appearance,
beginning with the noticing attorney. Your
appearance, please. 09:04:43

1 MR. CATALONA: This is Alex Catalona for
2 Defendant Precision Valve & Automation.

3 MS. LI: Teresa Li appearing on behalf of
4 Plaintiffs Ruben Juarez and Isela Juarez.

5 THE WITNESS: Isela Hernandez. 09:05:05

6 THE VIDEOGRAPHER: Will the court reporter
7 please swear in the witness.

8 MS. LI: It's Isela Hernandez. I'm sorry.
9 I made a mistake.

10 RUBEN JUAREZ,
11 having first been duly sworn, testified as follows:

12 EXAMINATION

13 BY MR. CATALONA:

14 Q Good morning, Mr. Juarez. My name is Alex
15 Catalona. I'll be asking you most of the questions 09:05:30
16 here today. I represent Precision Valve & Automation,
17 Inc. Could you please state your name and date of
18 birth.

19 A My name is Ruben Hernandez Juarez. My date
20 of birth date is [REDACTED] 1970. 09:05:43

21 Q And where were you born?

22 A Mexico City.

23 Q What medications did you take this morning?

24 A I took -- bear with me because my memory
25 doesn't work that well. Prozac. I took Ritalin. I 09:06:05

1 Q And when you started, who were your
2 coworkers?

3 A I can tell you SpaceX have a high rate of
4 turnover. So personnel comes in and out all the time.

5 Q Okay. But do you remember the names of any 09:48:38
6 people you worked with when you started?

7 A I remember my manager.

8 Q What was his name?

9 A John Pena.

10 Q Do you remember the name of anyone else? 09:48:51

11 A I remember the name of I believe he was a
12 supervisor. Gregory Maxwell.

13 Q Why don't we just talk about your entire
14 time at SpaceX. Other than John Pena and Gregory
15 Maxwell, please give me the names of anyone else you 09:49:17
16 worked with regularly.

17 A By nature I'm bad with names. Okay? With
18 all these memory problems, it has make it more
19 difficult for me to remember every single person or
20 some individuals. I know their physical -- physically 09:49:41
21 how do they look like, but I might not know their
22 name.

23 Q I understand that. I have a lot to cover;
24 so I'm going to ask very specific questions. If you
25 could try to answer the questions. I'm just asking 09:49:58

1 Q So Gregory Maxwell was a supervisor over
2 John Pena?

3 A No. John Pena was the director of avionics.
4 Gregory Maxwell was some kind of supervisor position.
5 I don't know exactly what his position was because I 09:51:25
6 wasn't working for him.

7 Q Did you report to John Pena directly the
8 entire time you worked for SpaceX?

9 A Let me think about that one. I did my
10 reports mostly with John Pena, but at one point -- it 09:51:55
11 is hard for me to explain the dynamics because SpaceX
12 is an evolving company. So one day, you're one
13 position; the next day, another director comes over
14 and you're a different position. So for the most
15 part, I know in my paper when I sign my original paper 09:52:24
16 when I was hired, I was to report directly to John
17 Pena.

18 Q Okay. Did you report to anyone else
19 directly after that?

20 A I think for this period of time, I think I 09:52:41
21 reported to -- not reported to; more like let him know
22 what I was working on -- to Gregory Maxwell.

23 Q Okay. So those two are the only people you
24 remember that supervised you.

25 A They were -- yeah. Again, Gregory Maxwell 09:53:00

1 was not my supervisor. He was somebody who I would
2 just tell him what project I was working on. John
3 Pena was the one who gave me the projects to work on,
4 and then Gregory Maxwell will ask me how you doing on
5 this project or what are you doing here, could you
6 help us here, and he would ask me for input.

09:53:19

7 Q Right. Was there anyone else that did any
8 of that?

9 A Not that I can remember, no.

10 Q And you stopped working at SpaceX at the end
11 of March 2014?

09:53:30

12 A I think if that's what it says it is, the
13 paper says. I don't remember the exact date or month.
14 I know it was 2014.

15 Q You don't remember the month?

09:53:53

16 A No.

17 Q Did you work in one room at SpaceX or at
18 different locations?

19 A At first was one room, then thereafter, the
20 production area was moved to a different room.

09:54:18

21 Q So you worked in one room for a while, and
22 then later you worked in another room; right?

23 A Correct.

24 Q And your job was either in the first room
25 you worked in or in the second room.

09:54:31

1 A Both.

2 Q Is that correct?

3 A Yes. They moved production from one room --
4 they were standing.

5 Q Right. I totally get that. So the work 09:54:45
6 that you did in the first room, was it the same work
7 that you did in the second room, it just changed
8 locations?

9 A Correct.

10 Q Okay. And were the same types of machines 09:54:56
11 and equipment in both of those rooms?

12 A No.

13 Q How did it change?

14 A We add more equipment.

15 Q Okay. So the second room had more 09:55:05
16 equipment.

17 A Yes.

18 Q And did the second room have the same kinds
19 of equipment that was in the first room but it added
20 some additional equipment? 09:55:14

21 A They added some additional equipment to the
22 room.

23 Q Okay. And other than going to lunch -- did
24 you go to lunch in a different room, or did you eat
25 lunch in the room that you were assigned to? 09:55:30

1 MS. LI: All the time? Every day?

2 BY MR. CATALONA:

3 Q In general.

4 MS. LI: Overly broad.

5 THE WITNESS: I don't understand your 09:55:42
6 question.

7 BY MR. CATALONA:

8 Q In general, did you eat lunch in the room
9 where you were working, or was there a lunch room
10 somewhere else? 09:55:49

11 A Oh, there was a lunch room in the second
12 floor or first floor. I don't remember exactly. I
13 don't remember the layout, but it was a lunch area.

14 Q Okay. Other than possibly going to a lunch
15 room, during your day did you go anywhere else at 09:56:00
16 SpaceX other than the room where you were working?

17 A I had a work station outside the room on the
18 second room, not the first room.

19 Q Was the work station connected to the second
20 room? 09:56:15

21 A No.

22 Q And what did you do in the work station?

23 A Review documents, design tool fixtures.

24 Q Okay. So when you worked at SpaceX, other
25 than the first room and the second room and the work 09:56:39

1 station outside the second room, did you do any kind
2 of work in any other locations at SpaceX?

3 A No. I delivered parts to the tool
4 manufacturer. But I didn't work in it. I just
5 delivered the parts. That was it.

09:57:04

6 Q Okay. Let's talk about the first room
7 first. How many months did you work in the first
8 room, or years?

9 A I don't remember.

10 Q Was it more than a year?

09:57:16

11 A I don't remember.

12 Q Do you know about when you moved from the
13 first room to the second room?

14 A I don't remember.

15 Q And how many people worked in the first room
16 with you?

09:57:25

17 A I never counted people that worked there. I
18 was just more focusing on the machine itself and
19 trying to get the programming done rather than -- I
20 don't know. I didn't count. Because that was not
21 my...

09:57:47

22 Q Did Francisco work in the first room?

23 A Yes.

24 Q And Jose?

25 A He worked in adjacent room.

09:57:58

1 You don't know if other people at SpaceX did the same
2 work that you were doing.

3 MS. LI: Overly broad and vague and
4 ambiguous.

5 BY MR. CATALONA: 09:59:11

6 Q Or you do know. Either you know or you
7 don't; right?

8 MS. LI: Same objections.

9 THE WITNESS: Can you reword your question
10 because I don't understand what you're trying to say. 09:59:21

11 BY MR. CATALONA:

12 Q I just want to know if anyone else at SpaceX
13 did the kind of work you did.

14 A I was hired to work on the machine
15 programming it. 09:59:31

16 Q Did anyone else do that?

17 A No.

18 Q Okay. That's all I was asking. What
19 machinery was in the first room?

20 A An oven, convection oven, PVA350, a couple 09:59:45
21 benches, and a PCBA rack.

22 Q PCVA rack?

23 A Right. Correct.

24 Q What equipment was in the second room?
25 Wait. Before you tell me that, was all the equipment 10:00:25

1 that you just listed that was in the first room, was
2 all of that in the second room?

3 A Yes.

4 Q Okay. So then what equipment in addition to
5 what you listed was in the second room?

10:00:36

6 A That I can remember?

7 Q Yes.

8 A I purchase a inspection station.

9 Q Anything else?

10 A I also purchased a air filtration system.

10:00:52

11 Q Okay. Anything else?

12 A And I don't know -- don't remember anything
13 else.

14 Q And were there these -- you talked about
15 these baths that you put parts in. Was that in the
16 first --

10:01:14

17 A No. No. That had nothing to do with the
18 PVA350.

19 Q I know. But was it in the room?

20 A No.

10:01:28

21 Q Where were the baths at?

22 A They were outside the room next to my
23 computer station.

24 Q So you worked at a computer station outside
25 the room?

10:01:38

1 A They were next to it, but that was nothing
2 to do with the PVA350.

3 Q Right.

4 A There's a separate --

5 Q Sure. 10:05:25

6 A -- completely separate -- two different
7 items.

8 Q Sure. But you worked with those items.

9 A I didn't work with those items. I didn't --
10 the wash area was installed next to my work station. 10:05:36
11 I did not work on the wash area. Does that make
12 sense?

13 Q Okay. You did not work on the wash area,
14 but other people were washing parts in that area;
15 right? 10:05:54

16 A Correct.

17 Q Okay. And that was 12 inches from your work
18 station?

19 A Guesstimate more or less, yeah.

20 Q Yes? Okay. How was the air filtration 10:06:03
21 system used on the production floor?

22 A Which filtration system are we talking
23 about?

24 Q The one that you purchased.

25 A The one that I purchased was for the 10:06:30

1 conformal coating area.

2 Q Was it inside the conformal coating area?

3 A Correct.

4 Q Did you ever meet Elon Musk?

5 A I don't understand your question.

10:06:58

6 Q Did you ever meet Elon Musk?

7 A As in seeing it on the company? As in

8 shaking his hand? Can you be more specific.

9 Q Did you ever meet him at any time?

10 A When you say "meet," you're saying --

10:07:14

11 Q To say hi, shake his hand, anything.

12 A No.

13 Q You never spoke to him?

14 A No. I saw him in the production, but I

15 never shake his hand or say, "Hi, buddy, how you

10:07:26

16 doing?" Nothing like that.

17 Q Did he ever provide any instruction

18 regarding how you were supposed to do your job?

19 MS. LI: Who? I'm sorry. Vague and

20 ambiguous as to "he." Who?

10:07:44

21 MR. CATALONA: Who we're talking about.

22 Elon Musk.

23 MS. LI: Oh. I'm sorry.

24 MR. CATALONA: It's pretty obvious.

25 ///

10:07:53

1 Q Yes.

2 A I'm not a chemistry. I don't know what the
3 chemics have in it. How do I can come up with why? I
4 don't know that. I'm not educated in that area. It's
5 not my area of expertise.

10:22:13

6 Q What was your job title at SpaceX?

7 A Equipment specialist.

8 Q So back to my last question, you were saying
9 that you don't know why you didn't sue the chemical
10 companies because chemistry is not your area of
11 expertise?

10:22:42

12 A Correct.

13 Q Is there any other reason why you didn't sue
14 them?

15 A I'm not a lawyer. I don't know what it
16 takes to -- I'm not a doctor. I'm not a lawyer. I
17 don't know what it takes. I don't know how that
18 works.

10:22:51

19 Q Okay. Did your job title ever change?

20 A Yes. They changed it to technician.

10:23:05

21 Q Anything else?

22 A Not that I know.

23 Q Did your job duties change at SpaceX?

24 A No. Just the title changed.

25 Q Okay. What was the typical day for you at

10:23:18

1 SpaceX?

2 A There was no typical day.

3 Q It was always different?

4 A For the most part.

5 Q Did you work five days a week, Monday 10:23:35
6 through Friday?

7 A No.

8 Q How many days a week?

9 A It varied. It varied.

10 Q Did you ever do any work at home as part of 10:23:45
11 your work for SpaceX?

12 A What do you mean, did I --

13 Q Was all the work that you did when you were
14 employed by SpaceX physically at the SpaceX campus?

15 A Yes. 10:24:05

16 Q So you can't take your work home with you;
17 right?

18 A I cannot take the equipment with me home,
19 no.

20 Q Okay. How many hours per day did you work 10:24:12
21 outside of the conformal coating area?

22 A Again, I estimate I work about 60 percent of
23 my time in the conformal coating area. So the other
24 40 percent would have been doing some other task.

25 Q When you worked in the conformal coating 10:24:46

1 area, did you set up the machine and hit go and then
2 it ran and you didn't have to be in the conformal
3 coating area while it was doing what it was doing?

4 A No. My job was to program the machine, not
5 to run the machine. To program the machine so the
6 operators can run the machine.

10:25:03

7 Q Oh, so you were never an operator?

8 A No. I was not an operator.

9 Q And the operators actually worked inside the
10 room?

10:25:16

11 A The operators worked inside the room.

12 Q So you didn't have to work inside the room
13 since you were not a operator?

14 A Most of the time, it would take up to eight
15 to ten hours to develop a program. So you have to be
16 there to do the work inside the room, inside the
17 machine itself. The way the machine is built, by
18 nature it has flaws. You cannot program the machine
19 on offline programming such as other CNC machines,
20 pick and place machines, or other where you can do
21 most of your programming offline or what they call
22 offline or at your work station and bring the machine
23 or transfer machine over to the -- the program over to
24 the machine and fine-tune it there.

10:25:27

10:25:48

25 The problem with the PVA350, it doesn't have

10:26:04

1 a platform or a software to aid you to allow you to do
2 your rough work at your computer and transfer it over
3 to the machine and then fine-tune it. Here, you're
4 dependent on a human factor.

5 Q What's the dimension of the conformal
6 coating room?

10:26:21

7 MS. LI: Which one?

8 BY MR. CATALONA:

9 Q The conformal coating room that was inside
10 the first room and the conformal coating room that was
11 inside the second room. Or were they different?

10:26:29

12 MS. LI: Compound. Go ahead.

13 THE WITNESS: Okay. Let's make something
14 clear. We're talking about the first-floor room? The
15 first-floor room, it would have been 12 by 18
16 footprint. That's an estimate.

10:26:47

17 BY MR. CATALONA:

18 Q Okay. The first-floor room was 12 feet by
19 18 feet.

20 A The conformal coating room.

10:27:01

21 Q Oh, the conformal coating room was 12 feet
22 by 18 feet.

23 A Yes. It was a small room. It was
24 encapsulated inside another room which was a little
25 bit bigger room. Would have been probably -- I don't

10:27:12

1 know. I don't want to say something that I don't

2 know.

3 Q So the conformal coating room was 12 feet by
4 18 feet.

5 A Guesstimate. 10:27:25

6 Q And how big was the conformal coating room
7 in the production --

8 MS. LI: Floor.

9 BY MR. CATALONA:

10 Q -- floor, which is also the second room? 10:27:35

11 A Bit bigger. I don't want to give you a
12 wrong number; so I don't want to guesstimate.

13 Q About how much bigger was it than 12 feet by
14 18 feet?

15 A It was bigger. 10:27:51

16 Q Twice as big or less than twice as big?

17 A It was big.

18 Q What equipment was in the conformal coating
19 room in the first room that you worked in?

20 A We already -- 10:28:06

21 Q Okay. So all the equipment that you already
22 talked about was actually inside the conformal coating
23 room?

24 A The first one. And then when we moved to
25 the second floor to expand our production 10:28:17

1 capabilities, we add some equipment, that station that
2 I told you about it and the filtration system that I
3 told you about it and the PCB rack that I told you
4 about.

5 Q Okay. Okay. So all the equipment that 10:28:28
6 we've already talked about, that was inside the
7 conformal coating room. It wasn't outside the
8 conformal coating room; right?

9 A It was inside the conformal coating room.

10 Q And that's true for both of the conformal 10:28:43
11 coating rooms that you talked about, the one on the
12 first room and then the one on the production floor.
13 All the equipment was inside the conformal coating
14 room.

15 A Let me see if I follow your question. On 10:28:58
16 the first floor, we have the conformal coating
17 machine, we have some equipment; and then when we move
18 to the second floor, we have whatever we had on the
19 first floor plus some other equipment that I just
20 described we purchased. 10:29:12

21 Q Right. And what were the types of things
22 you had to do inside the conformal coating room in
23 either location where it was?

24 A Programming.

25 Q Okay. Anything else? 10:29:46

1 A That was the main part of my job to get a
2 board, set up the board inside the machine, make sure
3 the pattern is correct, that the coating is correct,
4 do a dry run, do a wet run, make sure to put my head
5 inside there and check the thickness of the layer, 10:30:08
6 clean it up, rerun it again until I got the desired
7 thickness and width. Because it varies. The spray
8 valve has an adjustment that it can change the width
9 and the thickness of the conformal coating. So you
10 have to fine-tune it. 10:30:31

11 And then in order for you to fine-tune it,
12 the machine has to switch to bypass the door so you
13 can access. There is no other way to program the
14 machine, unfortunately. You have to eyeball it. And
15 you have to stick your head in there and look inside 10:30:48
16 and make sure that your spraying head is parallel with
17 the board and see where the board starts and where it
18 ends and then do the same thing to the board.

19 Then you will run a dry run, which that only
20 goes through movements. And then you go through a wet 10:31:07
21 run, and the machine starts to spray. Then what you
22 do is you get a wet gauge to make sure what the
23 thickness of the film is to verify that you have been
24 accurate. We're talking about 1.5 thousandths of an
25 inch. So it was very thin mist of material. 10:31:30

1 Q What you just described was what you did
2 60 percent of the time as part of your job; right?

3 A That along with the designing some fixtures
4 for the machine and so forth, yes. But I was the main
5 support for that machine.

10:31:51

6 Q And that was sort of your job as far as the
7 conformal coating work that you did; right?

8 A It became my job.

9 Q When did it become your job?

10 A When I start working there, they saw me that
11 I --

10:32:04

12 Q So immediately after you started working
13 there, that was your job.

14 A Yes. The reason I was --

15 Q I didn't ask a question. I need to cover a
16 lot of ground. I know you want to explain things, but
17 we'll get to everything. Okay?

10:32:16

18 A I understand, but I just don't want to be
19 misunderstood. The reason they hired me was to be a
20 equipment specialist looking forward to purchase a new
21 assembly line for SMT.

10:32:31

22 Q That's fine. I didn't ask that. I will ask
23 the questions, and we'll go through this
24 systematically. I want to cover a lot of ground.
25 Okay?

10:32:47

1 How many hours per day did you work with
2 chemicals?

3 A What do you mean by "chemicals"?

4 Q The chemicals that you asked for MSDS sheets
5 for. 10:33:02

6 A The chemicals that I ask -- well, the time
7 that I spent on the conformal coating.

8 Q How many hours per day was that?

9 A 60 percent of my time.

10 Q How many hours did you work in a day? 10:33:16

11 A It would vary.

12 Q Did you sometimes work less than five days a
13 week?

14 A When I start to get sick, I start to miss
15 work, yes. 10:33:26

16 Q Let's talk about before you started to get
17 sick. What was the normal amount of time you worked?

18 A There was no normal amount of time.

19 Q Was it three to five days? What was the
20 range? 10:33:39

21 A Again, there is no -- you know when your
22 start time is; you don't know when your end time is.
23 At least for me, that was the case. There would have
24 been some days we work 12 hours, 14 hours; there would
25 have been some days I worked only 8 hours. 10:33:54

1 Q What were those chemicals?

2 MS. LI: Vague and ambiguous as to time.

3 Are you asking him now or back then?

4 MR. CATALONA: He just said he learned what

5 they were. 10:36:22

6 BY MR. CATALONA:

7 Q I just want to know what you learned.

8 A Alcohol.

9 Q Okay. And those chemicals were used for
10 cleaning electronic parts? 10:36:33

11 A Cleaning electronic devices, boards,
12 subassemblies, assemblies.

13 (Reporter clarification.)

14 THE WITNESS: Subassemblies and assemblies.

15 Electronic assemblies and subassemblies.

16 BY MR. CATALONA:

17 Q And the thinners were used, too, to clean
18 the parts; right?

19 A No.

20 Q I'll mark this as Exhibit 4. 10:36:59

21 (Exhibit 4 was marked for identification.)

22 BY MR. CATALONA:

23 Q Is this a picture of the PVA350?

24 A Yes.

25 MS. LI: Objection. Vague and ambiguous as 10:37:11

1 different, this is different. I cannot go into my
2 head.

3 Q Just tell me. I mean, if you can't do it,
4 that's fine.

5 A No, I don't --

6 MS. LI: He already said that he can't do
7 it.

8 BY MR. CATALONA:

9 Q If you can't do it, that's fine. What I'm
10 trying to -- "I don't know" is a perfectly acceptable
11 answer.

10:39:45

12 A I don't know.

13 Q I'm asking you looking at the picture, can
14 you tell me anything in that picture that's different
15 from the one you used?

10:39:53

16 MS. LI: Objection. Asked and answered and
17 harassing the client. And lacks foundation.

18 THE WITNESS: I don't know.

19 BY MR. CATALONA:

20 Q Okay. That's fine. The one that you used,
21 were there lights inside of the machine?

10:40:07

22 A No.

23 (Exhibit 5, Exhibit 6, and Exhibit 7 were
24 marked for identification.)

25 ///

1 You've got to wait for my objection.

2 THE WITNESS: I'm sorry.

3 BY MR. CATALONA:

4 Q Did you ever use any other products from PVA

5 at SpaceX besides the PVA350? 10:43:08

6 MS. LI: Objection. Vague and ambiguous as

7 to any other product with PVA. You're talking about

8 any components? Or are you talking about conformal

9 coating? What are you talking about?

10 BY MR. CATALONA: 10:43:23

11 Q Did you work with any other PVA products at

12 SpaceX besides the PVA350?

13 MS. LI: Same objections. Vague and

14 ambiguous as to "products."

15 THE WITNESS: I'm not quite sure what you're 10:43:35

16 referring to. When you say "PVA," PVA has a lot of

17 different equipment.

18 BY MR. CATALONA:

19 Q Okay. Did you work with any other equipment

20 at SpaceX that was from PVA other than the PVA350? 10:43:45

21 A Not that I know.

22 Q Okay. Did you work with any other machines

23 from PVA at SpaceX besides the PVA350?

24 A Not that I know.

25 Q What is the PVA350? 10:44:06

1 Q Which of these chemicals on these MSDS
2 sheets did you use in connection with the PVA350?

3 A The HumiSeal, Arathane, that's it.

4 Q HumiSeal and Arathane and that's it? Is
5 that what you said? 11:46:35

6 A The brand? HumiSeal. And from what I can
7 see, the Huntsman Arathane.

8 Q Okay. HumiSeal and Arathane. Is that it?

9 A Let me look at this. Be patient with me,
10 please. My thinking process is not like yours. 11:46:58

11 So alcohol is not part of the 350. The
12 solder wire is not part of the 350. The lead-free
13 flux cored solder is not part of the 350. So that
14 leaves us with the other four MSDS.

15 Q So the Arathane 5750 B(LV) is part of the 11:47:41
16 PVA350?

17 A 57 A/B. Part A and part B.

18 Q There's also one that is Arathane 5750 B.
19 Is that for the PVA350?

20 A Which one are you referring to? These two? 11:48:02
21 Part A and part B?

22 Q This one.

23 A As far as I know, these are the same, part A
24 and part B. These two are the same. These two are
25 the same. 11:48:20

1 Q Okay. So Exhibit 8 is -- wait. Strike
2 that.

3 Exhibit 15 is Arathane 5750 A and Exhibit 8
4 is 5750 B and Exhibit 10 is Arathane 5750 A/B, and
5 your testimony is that these are all the same. 11:48:40

6 A As far as I remember, we only used one
7 Arathane. A/B.

8 Q Oh, okay. The only Arathane you used was
9 A/B; correct?

10 A As far as I remember, there was only one 11:48:54
11 Arathane, A/B, part A and part B. That's it.

12 Q And were there two parts to that, or was it
13 one substance that was called Arathane 5750 A/B?

14 A No. They were separate chemicals that when
15 you mixed, they would start to cure rather quickly. 11:49:13

16 Q And the two chemicals you mixed were part A
17 and part B.

18 A Correct.

19 Q Great. Thank you very much. That's very
20 helpful. 11:49:23

21 A This is a different one. You didn't give me
22 this. You just hand it to me.

23 Q This is the HumiSeal thinner 521EU. Did you
24 also use that with the PVA350?

25 A I remember it was a HumiSeal thinner. I 11:49:44

1 one.

2 MS. LI: Volume I; right?

3 MR. CATALONA: Yeah.

4 MS. LI: Is my copy the correct copy?

5 MR. CATALONA: You have Volume I? 11:53:27

6 MS. LI: Yeah.

7 MR. CATALONA: Yes. That's right.

8 (Exhibit 16 and Exhibit 17 were marked for
9 identification.)

10 BY MR. CATALONA: 11:53:32

11 Q Okay. So the first one that you talked
12 about -- and you can look at this or not; it's on
13 page 49 -- was thinner 527. Do you remember talking
14 about thinner 527?

15 A Page 49? 11:53:46

16 Q Yes.

17 A What paragraph number or what line number?

18 Q Line 22 and 23.

19 A Okay.

20 Q Line 23, it says thinner 527, but the MSDS 11:54:23
21 sheet says thinner 521. Do you think it's thinner 527
22 or 521, or do you remember?

23 A As I stated earlier, I know it was a
24 thinner, but I don't remember what number of thinner
25 was it. 11:54:41

1 Q Okay.

2 A A lot of people are not -- like you. You
3 just made a mistake. You say it's in microns. The
4 person who wrote this, it should have been .00015. So
5 it's missing zeros. It's wrong.

01:54:25

6 Q How many zeros is it missing?

7 A So -- let me see. So this would be
8 1 thousandth of an inch. This would be one five
9 ten-thousandths of an inch.

10 Q Okay. This is in inches?

01:54:51

11 A Yes.

12 Q Can I write "inches" on it?

13 A If you want to.

14 MR. CATALONA: I'm writing "inches" on this,

15 and I'm going to mark this as Exhibit 18. He just
16 wrote .0015 on a Marriott piece of paper, which is
17 Exhibit 18.

01:54:55

18 (Exhibit 18 was marked for identification.)

19 BY MR. CATALONA:

20 Q So your answer at the deposition was
21 approximately 5 thousandths of an inch.

01:55:13

22 A Where do you see 5?

23 Q In line 18. But it's actually
24 1.5 thousandths of an inch.

25 A Well, if you look at No. 21, it says:

01:55:44

1 "ANSWER: .001, which is
2 1 thousandth of an inch."

3 A lot of people not very well with math. So
4 if you're talking to some people that are not, they're
5 not work with numbers all the time. It's hard for
6 them to explain. The 5 thousandths that I was trying
7 to explain to them, it is cellophane paper. That is
8 about 5 thousandths of an inch. That's where the
9 5 thousandths came from.

01:56:05

10 Q Okay. I just want to know how thick the
11 material was in the PVA350. So it wasn't
12 5 thousandths of an inch. It was 1.5 thousandths of
13 an inch; correct?

01:56:23

14 A 1 thousandth 5 ten-thousandths of an inch.

15 See. You're confused now.

01:56:46

16 Q Yeah. I think you just said 1 thousand 5 --

17 A 1 thousand ten-thousandths of an inch.

18 5 ten-thousandths of an inch.

19 Q Okay. That makes sense. 5 ten-thousandths
20 of an inch.

01:57:08

21 A Yes.

22 Q Okay. So that's extremely small; correct?

23 A Very small.

24 Q And you maybe can't even see that without a
25 microscope?

01:57:19

1 ambiguous. It's a very simple question.

2 MS. LI: No. It's overly broad and assumes
3 many different scenarios.

4 BY MR. CATALONA:

5 Q Would you ever stick your head in the 02:01:01
6 machine when the machine was actually operating?

7 A Yes.

8 Q Okay. And you mean the machine was actually
9 spraying material, you would stick your head in?

10 A Yes. That's what they told me at PVA. 02:01:16

11 Q Okay. Why would you do that?

12 A That's what I was taught.

13 Q What's the purpose?

14 A The material is a clear material.

15 Q It's a what? 02:01:29

16 A It's a clear material. If you're going to
17 spray it on this surface, you wouldn't be able to see
18 it. Okay?

19 Q And why couldn't you see it? I'm going to
20 show you Exhibit 4 again. It looks like you can see 02:01:50
21 everything in the PVA350 on Exhibit 4. Why can't you
22 see it through the glass window?

23 MS. LI: Objection. Lacks foundation.
24 Exhibit 4 doesn't show the spray.

25 THE WITNESS: Why can't you see it? Because 02:02:05

1 you have to use a blacklight to see it.

2 MS. LI: He's talking about the spray.

3 MR. CATALONA: I'm not done yet. Please.

4 BY MR. CATALONA:

5 Q And why can't you use a blacklight through 02:02:17
6 the glass window?

7 A You're asking something that doesn't make
8 sense.

9 Q Well, tell me why.

10 A Because you never work on this machine. You 02:02:28
11 don't seem to understand how this machine works nor
12 how to inspect boards.

13 Q Correct. So tell me why.

14 A I'm telling you why. Because you wouldn't
15 be able to see it without using a blacklight. 02:02:45

16 Q Why can't you flash the blacklight through
17 that glass window?

18 A Because sometimes you don't want to
19 overspray. And when you do overspray, we're talking
20 about thousandths of an inch. We're not talking about 02:02:55
21 2 meters, 3 meters, 4 meters.

22 Q Why not turn the machine off and stop the
23 spraying before sticking your head in?

24 A That's what I was taught to do.

25 Q There's got to be a reason. I mean, how did 02:03:16

1 it help your job to have the machine spraying when you
2 stuck your head inside of it?

3 A Let me take a little bit of water. I don't
4 want to give you a training of how program the
5 machine. I was hoping that you would learn it from 02:03:53
6 PVA. But this is not -- this is more complicated than
7 what you make it seem like. You're asking me why did
8 you need to put your head in there. Well, that's the
9 nature of the beast. That's the nature of the beast.

10 Q That's not what I asked. 02:04:13

11 MS. LI: Let him finish.

12 THE WITNESS: What did you ask, then?

13 BY MR. CATALONA:

14 Q I said why don't you turn it off before
15 sticking your head in? 02:04:22

16 A And that's the nature of the breast. This
17 machine by nature has flaws.

18 Q You mean you can't turn it off?

19 A I didn't say you can't turn it off.

20 Q Okay. 02:04:35

21 A I say by nature, this machine, the design is
22 not well done. There is no good engineering in this
23 machine.

24 Let me give you an example, Mr. Catalona.

25 Let me give you an example. I have experience doing 02:04:49

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and) CASE NO.
ISELA HERNANDEZ, an individual,) CV17-03342-ODW(GJSX)

)
Plaintiffs,)

)
vs.)

)
PRECISION VALVE & AUTOMATION,)
INC., a corporation and DOES 1-20,)

)
Defendants.)
_____)

VIDEO-RECORDED DEPOSITION OF

RUBEN JUAREZ

VOLUME II

Burbank, California

Thursday, March 15, 2018

Reported By:

Elizabeth Schmidt

CSR No. 13598

PAGES 165 - 343

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and) CASE NO.
ISELA HERNANDEZ, an individual,) CV17-03342-ODW(GJSX)
)
Plaintiffs,)
)
vs.)
)
)
)
PRECISION VALVE & AUTOMATION,)
INC., a corporation and DOES 1-20,)
)
Defendants.)
_____)

Deposition of RUBEN JUAREZ, Volume II, taken on
behalf of Defendant, at 2500 North Hollywood Way,
Room P125E, Burbank, California, beginning at 9:02 A.M.
and ending at 1:05 P.M., on March 15, 2018, before
Elizabeth Schmidt, Certified Shorthand Reporter
No. 13598.

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12
13
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15 ALSO PRESENT: JULIAN SHINE, videographer

I N D E X

WITNESS

RUBEN JUAREZ

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Burbank, California

Thursday, March 15, 2018

9:02 A.M.

* * *

(Exhibit 19 was marked for identification prior to going on the record.)

THE VIDEOGRAPHER: We are on the record at 9:01 A.M. on March 15, 2018. Please note that microphones are sensitive and may pick up whispering, private conversations, and cellular interference.

09:02:50

Audio and video recording will continue to take place unless all parties agree to go off the record.

This is the video-recorded deposition of Ruben Juarez, Volume II, in the matter of Ruben Juarez et al vs. Precision Valve & Automation, Incorporated, et al, filed in the United States District Court, Central District of California, case No. CV17-03342-ODW.

09:03:07

This deposition is being held at 2500 North Hollywood Way, Burbank, California. My name is Julian Shine. I am the videographer. Our court reporter is Elizabeth Schmidt. We're here from Veritext Legal Solutions. I am not authorized to administer an oath. I am not related to any party in this action, nor am I financially interested in the outcome in any way.

09:03:29

09:03:44

1 A I don't remember.

2 Q Ten years ago? 20 years ago?

3 A I can't tell you exactly what date.

4 Q What estimate?

5 A I cannot estimate the date.

09:04:58

6 Q Can you estimate the decade?

7 A Decade. No.

8 Q Okay. Is your wife and your daughter an
9 American citizen?

10 A They are.

09:05:16

11 Q Do you know when they became an American
12 citizen?

13 A My wife, no.

14 Q Daughter? Was she born in this country?

15 A When she was born.

09:05:24

16 Q Okay.

17 Did SpaceX give you any written instructions
18 for how to do your job?

19 A Did SpaceX -- when?

20 Q At any time.

09:05:35

21 A Not that I can remember.

22 Q What are SOPs?

23 A SOP. No idea.

24 Q What are standard operating procedures?

25 A I have no idea.

09:05:54

1 A I am trying to answer your question.

2 Q No, you're not. You're wasting time --

3 A I can't --

4 (Simultaneous crosstalk.)

5 BY MR. CATALONA:

6 Q Sir. I just asked about written
7 instructions. We have very limited time. You need to
8 answer the question. Okay?

9 A I am trying to give you --

10 Q No, you're not. 09:09:10

11 A Well, you want me to answer something that I
12 don't remember. I'm trying to backtrack my memory,
13 sir.

14 Q I don't want you to backtrack your memory.

15 A If I don't backtrack my memory, how can I 09:09:22
16 remember something back then? We're talking about
17 four years ago. Do you understand that? Or more than
18 that. Do you understand that, Mr. Catalona?

19 Q Don't ask me questions, sir. I'm here to
20 ask you questions, and you're here -- 09:09:35

21 A And I am trying.

22 Q -- to answer those questions.

23 A I am trying, sir.

24 Q Just -- okay. I withdraw the question.

25 Okay? We have limited time. I can't waste time. So 09:09:43

1 if there were any written instructions by SpaceX, tell
2 me what they gave you in writing.

3 A In writing?

4 Q Yes.

5 A That I can remember, nothing.

09:09:59

6 Q Thank you.

7 Now, these were documents that were produced
8 by SpaceX in this case. This is Exhibit 21. And this
9 is --

10 MS. LI: What do you mean, these are
11 documents produced by SpaceX?

09:10:13

12 MR. CATALONA: And this is Exhibit 22.

13 MS. LI: Are these from the subpoena?

14 MR. CATALONA: Yes. And this is Exhibit 20.
15 This is a document produced by PVA.

09:10:23

16 (Exhibit 20, Exhibit 21, and Exhibit 22 were
17 marked for identification.)

18 BY MR. CATALONA:

19 Q So I'm showing you Exhibits 21 -- strike
20 that.

21 I'm showing you Exhibit 20, 21, and 22.

22 Have you ever seen those documents before?

23 MS. LI: Can I get a copy of this?

24 BY MR. CATALONA:

25 Q Okay. We've been on the record while you're

09:11:58

1 if there were any written instructions by SpaceX, tell
2 me what they gave you in writing.

3 A In writing?

4 Q Yes.

5 A That I can remember, nothing.

09:09:59

6 Q Thank you.

7 Now, these were documents that were produced
8 by SpaceX in this case. This is Exhibit 21. And this
9 is --

10 MS. LI: What do you mean, these are
11 documents produced by SpaceX?

09:10:13

12 MR. CATALONA: And this is Exhibit 22.

13 MS. LI: Are these from the subpoena?

14 MR. CATALONA: Yes. And this is Exhibit 20.
15 This is a document produced by PVA.

09:10:23

16 (Exhibit 20, Exhibit 21, and Exhibit 22 were
17 marked for identification.)

18 BY MR. CATALONA:

19 Q So I'm showing you Exhibits 21 -- strike
20 that.

21 I'm showing you Exhibit 20, 21, and 22.
22 Have you ever seen those documents before?

23 MS. LI: Can I get a copy of this?

24 BY MR. CATALONA:

25 Q Okay. We've been on the record while you're

09:11:58

1 looking at documents for approximately 60 seconds.

2 Have you ever seen those documents before?

3 A Not that I can remember, no.

4 Q And we're going to depose your coworkers at

5 SpaceX.

09:12:14

6 A That's fine.

7 Q And will they say that you've never seen

8 those documents before?

9 A Probably.

10 MS. LI: Objection. Calls for speculation.

09:12:22

11 BY MR. CATALONA:

12 Q So SpaceX never gave you any training that

13 included documents?

14 A I tried to answer that question in the

15 beginning, and you're not listening. You're just

09:12:33

16 trying to get upset. And I want you to understand

17 what happened. And you just keep asking me the same

18 question over and over. When I was first hired, I was

19 hired to program SMT equipment.

20 Q Got it.

21 A Does that make sense?

22 Q I heard that. I heard that.

23 MS. LI: Let him finish.

24 BY MR. CATALONA:

25 Q That's fine.

09:12:56

1 MR. CATALONA: Mark that question. We'll
2 have to --

3 BY MR. CATALONA:

4 Q Are you going to answer that question?

5 A I'm sorry. You're arguing too much. I 09:23:38
6 forget which question do you --

7 Q The instruction is:

8 "Use gloves, eye protection, and

9 face mask in well-ventilated

10 areas per the MSDS." 09:23:48

11 Did you do that?

12 MS. LI: Same objections.

13 THE WITNESS: It's been quite some time; so

14 I don't remember which one I did or which one I didn't

15 do. 09:24:14

16 BY MR. CATALONA:

17 Q Did you do that one?

18 A Which one, sir?

19 Q The one I just asked you.

20 A There's a lot of them. There's gloves, 09:24:18
21 eyewear, face mask, well-ventilated area, MSDS.

22 Q Did you wear gloves?

23 A Sometimes.

24 Q Did you wear eye protection?

25 A I used glasses. 09:24:28

1 Q Did you wear face mask?

2 A No.

3 Q Did you have a well-ventilated area that you
4 were working in to do conformal coating?

5 A That is kind of individualized because for 09:24:41
6 whatever -- well-ventilated area for you is not good
7 for me. So I don't know what they mean by that.

8 Q You don't know if you did that or not?
9 Answer the question.

10 MS. LI: Objection. Calls for speculation, 09:25:02
11 lacks foundation.

12 THE WITNESS: I already told you the
13 well-ventilated area, that it's good for you, it might
14 not be well-ventilated for me.

15 BY MR. CATALONA: 09:25:14

16 Q Did you follow the MSDS?

17 A I was never provided MSDS.

18 Q Do you agree that this document instructs
19 you to use gloves, eye protection, and face mask in a
20 well-ventilated area per the MSDS? 09:25:26

21 A That's what it says.

22 Q Okay. And SpaceX had the MSDS sheets on the
23 job; correct?

24 MS. LI: Objection. Vague and ambiguous as
25 to "on the job" and vague and ambiguous as to time. 09:25:41

1 Go ahead.

2 THE WITNESS: What do you mean, "on the
3 job"?

4 BY MR. CATALONA:

5 Q At SpaceX. 09:25:48

6 A On the job. What do you mean by that, "on
7 the job"?

8 Q They were there.

9 A There where?

10 Q At SpaceX. 09:25:53

11 A Don't yell at me. Hang on. Where at SpaceX
12 do you mean?

13 Q Where you worked. Are you going to refuse
14 to answer that question?

15 A No. I'm trying to remember whether there 09:26:05
16 were or whether there weren't.

17 Q And what do you remember?

18 A I don't remember seeing them.

19 Q Were they there and you just didn't see
20 them? 09:26:20

21 A I'm not going to speculate something that I
22 don't know.

23 Q Did you ever ask to see the MSDS sheets?

24 MS. LI: Vague and ambiguous as to time.

25 Go ahead. 09:26:32

1 A While I was working, you mean?

2 Q Yes.

3 A Because I asked them afterwards.

4 Q Well, I didn't ask that. You're refusing to

5 answer the question. Did you ever ask for the MSDS 09:27:22

6 sheets at SpaceX? Yes or no.

7 A I don't remember.

8 MS. LI: Can we take a break?

9 MR. CATALONA: No.

10 MS. LI: I'm going to take a break. 09:27:37

11 MR. CATALONA: We're not going off the

12 record.

13 MS. LI: Then you can keep the record on and

14 we're going to take a break.

15 MR. CATALONA: Okay. We're off the record. 09:27:45

16 THE VIDEOGRAPHER: We're off the record at

17 9:26 A.M.

18 (A recess was taken.)

19 THE VIDEOGRAPHER: We are back on the record

20 at 9:28 A.M. 09:29:56

21 BY MR. CATALONA:

22 Q Okay. We're still on page 1139. And in

23 Section 6.1.1, do you see that it specifies HumiSeal

24 1A33 conformal coating, HumiSeal 521 thinner, and

25 HumiSeal 1063 stripper; correct? 09:30:15

1 arrived at SpaceX? Do you know?

2 A Again, I don't know.

3 Q Okay. Now, even though it says to follow
4 the PVA manual, you never did follow the PVA manual;
5 right?

09:34:25

6 MS. LI: Objection. Argumentative.

7 Do not answer.

8 MR. CATALONA: You're instructing him not to
9 answer that question?

10 MS. LI: Yeah.

09:34:31

11 MR. CATALONA: We'll mark that question, as
12 well.

13 MS. LI: Mark it.

14 THE WITNESS: Are we done with this?

15 BY MR. CATALONA:

09:34:53

16 Q Yes. For now.

17 This is Exhibit 23.

18 (Exhibit 23 was marked for identification.)

19 BY MR. CATALONA:

20 Q Have you ever seen that before?

09:34:56

21 MS. LI: Can I have a copy of Exhibit 23?

22 MR. CATALONA: Wait. Wait a second. This
23 is Exhibit 23, and you can look at this. I'm only
24 going to ask him parts in there. That's why I'm
25 giving you that.

09:35:29

1 MS. LI: It's minus, like, a third of what
2 he has.

3 MR. CATALONA: Like I said, I'm only going
4 to ask questions about that portion. So, you know,
5 you can look at the actual exhibit on a break if you
6 want.

09:35:40

7 BY MR. CATALONA:

8 Q Back to the questioning. This is the PVA350
9 manual. Actually, it refers to other models than the
10 350. Have you ever seen this document before?

09:35:59

11 A Not that I can remember.

12 Q Was it available at SpaceX?

13 MS. LI: Calls for speculation, asked and
14 answered.

15 Go ahead.

09:36:10

16 THE WITNESS: I never seen it.

17 BY MR. CATALONA:

18 Q Do you know if it was available or not?

19 A You're asking me for speculate.

20 MS. LI: Calls for speculation.

09:36:19

21 BY MR. CATALONA:

22 Q I don't want you to speculate. If you don't
23 know --

24 A You're asking me --

25 Q -- just say "I don't know."

09:36:22

1 A I did say I don't know. You keep asking me
2 the same question. Do you know if it was available.
3 I said I don't know.

4 Q Did you ever ask to look at that manual?

5 MS. LI: Asked and answered.

09:36:34

6 Go ahead.

7 THE WITNESS: No.

8 BY MR. CATALONA:

9 Q Did you ever look at its provisions about
10 safety?

09:36:39

11 MS. LI: Assumes facts not in evidence.

12 THE WITNESS: If I never look at it, how can
13 I...

14 BY MR. CATALONA:

15 Q How can you what?

09:36:49

16 A How can I look at something that I haven't
17 read.

18 Q Okay. Turn to page 40, please. This page
19 is entitled operation and maintenance manual. Did you
20 ever look at that page?

09:37:06

21 MS. LI: Argumentative.

22 BY MR. CATALONA:

23 Q Sir, please turn to page 40.

24 A I'm trying to read -- this is a big book. I
25 never seen it before. So you're asking me to look at

09:37:30

1 equipment manufacturer?

2 A No.

3 MS. LI: Same objections.

4 BY MR. CATALONA:

5 Q Okay. Do you see the next sentence, it

09:44:16

6 says:

7 "Using the workcell in other ways

8 than is described in this

9 documentation supplied with the

10 equipment may result in injury or

09:44:27

11 damage of the equipment."

12 Do you see that?

13 A Yes.

14 Q What does that mean?

15 MS. LI: Lacks foundation, calls for

09:44:46

16 speculation.

17 Go ahead.

18 THE WITNESS: Maybe just the equipment and

19 other ways it's not built for.

20 BY MR. CATALONA:

09:45:06

21 Q Could result in injury; right?

22 A That's what it says.

23 Q And one of the examples that it gives is

24 removing door interlocks or bypassing safety devices.

25 Do you see that?

09:45:18

1 A Yes.

2 Q Turn to page 62. This is the operating
3 safety section. Do you see that?

4 A Yes.

5 Q And it lists notices and warnings; right?

09:45:37

6 A Yes.

7 Q The first it lists is, quote:

8 "Safety glasses, gloves, and

9 long-sleeved clothing are

10 necessary precautions when

09:45:52

11 working with automated industrial

12 equipment."

13 Do you see that?

14 A Yes.

15 Q Second it states:

09:46:02

16 "Read and understand all

17 operating manuals before using

18 this equipment."

19 Do you see that?

20 A Yes.

09:46:09

21 Q What does that mean?

22 MS. LI: Same objection. Calls for

23 speculation, lacks foundation.

24 Go ahead.

25 THE WITNESS: I guess to read the operation

09:46:16

1 manual before using the machine.

2 BY MR. CATALONA:

3 Q Third it states:

4 "Do not disable the safety

5 features of this machine."

09:46:26

6 Do you see that?

7 A Yes.

8 Q What does that mean?

9 MS. LI: Same objection. The document
10 speaks for itself.

09:46:34

11 THE WITNESS: Do not tamper with the
12 machine, I guess.

13 BY MR. CATALONA:

14 Q And don't disable the safety features;
15 right?

09:46:45

16 A That's what it says there.

17 Q The next section is called safety devices
18 and guarding. Do you see that?

19 A Which number? Oh. You're moving on to the
20 next -- okay.

09:46:58

21 Q Yes. The next section is called safety
22 devices and guarding. Do you see that?

23 A Yes, sir.

24 Q Do you see where it says in bold:

25 "Note: The safety features

09:47:07

1 should never" -- in all caps --
2 "be bypassed, disabled, or
3 tampered with. Precision Valve &
4 Automation, Inc., is not
5 responsible for any damages
6 incurred, mechanical or human,
7 because of alteration or
8 destruction of any safety
9 features."

10 Do you see that?

09:47:31

11 A That's what it says.

12 Q What does that mean?

13 MS. LI: Same objection. Calls for
14 speculation and lacks foundation. Calls for a legal
15 opinion.

09:47:39

16 Go ahead.

17 THE WITNESS: I'm not sure what -- I guess
18 it's a legal term.

19 BY MR. CATALONA:

20 Q Well, what do you think it means?

09:47:50

21 MS. LI: Same objections. Asked and
22 answered.

23 BY MR. CATALONA:

24 Q Tell me.

25 MS. LI: Same objections. Asked and

09:47:57

1 answered.

2 THE WITNESS: Can you re-word that question.

3 Because this is a legal terms. I'm not a legal

4 expert.

5 BY MR. CATALONA:

09:48:10

6 Q I just read what it says. I asked you what

7 it meant.

8 MS. LI: Same objection. Lacks foundation,

9 calls for speculation, calls for a legal opinion,

10 asked and answered. You're harassing the witness and

09:48:20

11 also wasting time asking him to read hundreds and

12 hundreds of pages of documents --

13 MR. CATALONA: You're --

14 MS. LI: -- he hasn't read before --

15 MR. CATALONA: You're being improper.

09:48:29

16 MS. LI: Let me finish.

17 MR. CATALONA: You're being --

18 MS. LI: He has not read before and

19 simultaneously claiming that he's running out of time.

20 So just for the record, let's see how long

09:48:35

21 this counsel is going to spend asking the witness to

22 read something that he's never read before line by

23 line and then complaining that he doesn't have enough

24 time.

25 MR. CATALONA: Your behavior is improper

09:48:47

1 once again. Please state an objection and do not
2 coach the witness. Do not interfere with the process.

3 BY MR. CATALONA:

4 Q What does that mean?

5 MS. LI: Same objections. Go ahead.

09:48:58

6 THE WITNESS: It's a legal term. I don't
7 know what it in legality means.

8 BY MR. CATALONA:

9 Q You do not know what "safety features should
10 never be bypassed" means?

09:49:11

11 MS. LI: Same objections.

12 THE WITNESS: Where are you reading that
13 from, Mr. Catalona?

14 BY MR. CATALONA:

15 Q The first sentence.

09:49:25

16 A But this is contrary to what they teach you.

17 Q I didn't ask that. I just asked you if you
18 knew what that meant.

19 MS. LI: Same objections. Let's move on.
20 He already answered that.

09:49:43

21 I'll instruct you not to answer.

22 MR. CATALONA: He said it was a legal term.
23 That's not an answer.

24 MS. LI: That's an answer. Let's move on.
25 He didn't write the sentence. You're asking what he

09:49:54

1 meant? A sentence that he didn't write and he never
2 read it before?

3 MR. CATALONA: You're being improper again,
4 Teresa.

5 MS. LI: Let's move on.

09:50:01

6 BY MR. CATALONA:

7 Q What does this mean, "the safety features
8 should never be bypassed"?

9 MS. LI: Same objections. Asked and
10 answered, harassing the witness.

09:50:10

11 THE WITNESS: I already told you I don't
12 know.

13 BY MR. CATALONA:

14 Q Thank you. That's the first time you told
15 me that.

09:50:15

16 MS. LI: That's not the first time he told
17 you that.

18 BY MR. CATALONA:

19 Q We're going to move on now. Okay. Did
20 anyone use compressed air around you at SpaceX?

09:50:29

21 A Which line?

22 Q Oh. You can give me that, sir. I'm
23 probably not going to ask questions about that again
24 for a while. Yeah. Did anyone use compressed air
25 around you at SpaceX?

09:50:49

1 BY MR. CATALONA:

2 Q Other than what your attorney told you, do
3 you have any information regarding why you waited
4 until February 28, 2017, to file your lawsuit in this
5 case? Answer the question.

10:28:55

6 A Can you re-word the question again. I'm
7 trying to think about.

8 Q Other than what she told you. I'm not
9 asking about that. Okay? Other than that, do you
10 have any information to tell me that would explain why
11 you waited until February 28, 2017, to file your
12 lawsuit in this case?

10:29:21

13 A I don't know.

14 Q Okay. I've marked as exhibit -- strike
15 that.

16 I've marked a document as Exhibit 27.

17 (Exhibit 27 was marked for identification.)

18 BY MR. CATALONA:

19 Q What is this document?

20 A Employment application.

10:30:01

21 Q For you; right?

22 A Yes.

23 Q Is everything in this document, Exhibit 27,
24 true and accurate as far as you know?

25 A To my best of my recollection, yes.

10:30:13

1 Q Did you personally fill out all of the
2 information in it?

3 A My wife helped me with some thing. My wife
4 helped me with some.

5 Q Did she physically type it out? 10:30:34

6 A No. She was helping me remembering because
7 sometimes it's hard to remember everything.

8 Q Were you the only person that physically
9 filled out the employment application?

10 A I don't remember. This has been long time 10:30:50
11 ago, Mr. Catalona.

12 Q Okay. Do you remember anyone else who did
13 anything to help you with this employment application
14 other than your wife?

15 A Not that I can remember, no. 10:31:02

16 Q Did you create this on or about November 27,
17 2011?

18 A That's what it says.

19 Q Turn to page 313.

20 A Where do you see the pages? 10:31:30

21 Q At the very bottom.

22 A 305.

23 Q I said 313.

24 A Oh. Yes.

25 Q What was your job with EMI Electronics? 10:31:44

1 A Manufacture process engineer.

2 Q Do you see the reference to PVA equipment in
3 that job description?

4 A Yes.

5 Q It also says: 10:32:05

6 "Output conformal coating
7 programs per customer request."

8 Do you see that?

9 A Correct.

10 Q What PVA equipment did you use? 10:32:13

11 A If I remember correct, 650.

12 Q The PVA650?

13 A Yes.

14 Q What work did you do with conformal coating?

15 A Not that much. 10:32:28

16 Q Well, tell me what you did.

17 A I just went for training, and that was
18 pretty much it. That was -- from the time I got the
19 training to the time I left the company was about a
20 month or so. 10:32:44

21 Q And you already told us about that training;
22 right?

23 A Yes, sir.

24 Q Okay. Let's put that away.

25 (Exhibit 28 was marked for identification.)

1 BY MR. CATALONA:

2 Q I've handed you Exhibit 28.

3 A Yes.

4 Q This is the document that offered you the
5 job at SpaceX; right?

10:33:18

6 A That's what it says.

7 Q On page 322, that is your signature; right?

8 A Yes, sir.

9 Q Okay. Please give me that back.

10 (Exhibit 29 was marked for identification.)

11 BY MR. CATALONA:

12 Q This is a history and physical dated
13 March 14, 2013. Do you see that it says that you had
14 coil embolization for nonruptured ACA aneurysm?

15 A Where does it say that, Mr. Catalona? Which
16 paragraph?

10:34:14

17 Q The first paragraph.

18 A Oh, yeah.

19 Q It indicates that that procedure was done in
20 January 2013. Do you see that?

10:34:31

21 A Yes, sir.

22 Q When do you remember having that done?

23 A What done?

24 Q The procedure.

25 A The --

10:34:43

1 Q What we just talked about.

2 A The coil?

3 Q Yes.

4 A Sometime in January '13.

5 Q And is that also called a craniotomy? 10:34:54

6 A I don't know what it is called. Craniotomy,
7 I don't even know what the term means.

8 Q Okay. Have any of your doctors ever talked
9 to you about having a craniotomy?

10 A That's the first time I heard that term. 10:35:27
11 What is a craniotomy?

12 Q That's an operation having to do with your
13 cranium.

14 A No.

15 Q Okay. This is Exhibit 30. 10:35:43

16 (Exhibit 30 was marked for identification.)

17 BY MR. CATALONA:

18 Q And I'd like you to turn to the second page
19 of this, the second page of this document. Who is
20 Dr. Steven Schenkel? 10:36:00

21 A He's a psychiatric.

22 Q And he's one of your doctors?

23 A Yes.

24 Q And do you see the first line of the chief
25 complaint? 10:36:19

1 my question again, my answer?

2 Q Just answer the question.

3 A I said to clear my airways.

4 Q That wasn't the question. I said did anyone

5 tell you why you were -- okay. Let me ask a different 10:40:34

6 question. Has anyone ever told you the cause of any

7 breathing problems you have?

8 A I just told you the toxicologist said that

9 part of my breathing problem was due to chemical

10 exposure. 10:41:03

11 Q And did he specify what chemicals?

12 A No. Not that I know. I didn't read his

13 report.

14 Q So on March 27, 2014, you left your job at

15 SpaceX. Correct? 10:41:18

16 A I don't know exact the day, the exact date,

17 sir.

18 Q Was it at the end of March 2014?

19 A I don't remember. I know it was in 2014,

20 but I don't remember the month or the date. 10:41:30

21 Q Why did you leave?

22 A As stated in my prior -- in my opening

23 statement, after trying for two times to return to

24 work and having to end up in the hospital, I could no

25 longer continue to work, and SpaceX did not allow me 10:41:53

1 to return to work. I tried to set up an appointment
2 with Mr. Lynch at SpaceX. I was begging him. I'm
3 trying to return to work.

4 I sent several e-mails to human resources.
5 I send a ADA, Americans with Disabilities Act, with 10:42:17
6 some restrictions for me to return to work, and where
7 I was unsuccessful trying to -- all what I wanted was
8 to return to work to be able to provide for my family.
9 That's all what I did. So as far as the date and
10 time, what my last day of work was with SpaceX, I 10:42:39
11 don't remember.

12 Q Okay. I just put in front of you
13 Exhibit 32.

14 (Exhibit 32 was marked for identification.)

15 BY MR. CATALONA:

16 Q Is that your workers' compensation claim?

17 A Yeah.

18 Q Is that your signature on line 8?

19 A Yes.

20 Q Did you type this form? 10:43:09

21 A No.

22 MS. LI: Okay?

23 MR. CATALONA: Okay. Let's go off the
24 record.

25 THE VIDEOGRAPHER: We are off the record at 10:43:23

1 10:42 A.M.

2 (A recess was taken.)

3 THE VIDEOGRAPHER: We are back on the record
4 at 10:48 A.M.

5 BY MR. CATALONA:

10:50:01

6 Q Why did you wait until September of 2014 to
7 file your claim?

8 A Which claim, sir?

9 Q The one that's right in front of you.

10 A I don't know when that was filed.

10:50:13

11 Q It was filed September 24, 2014.

12 A Where does it say that?

13 MS. LI: Calls for attorney-client
14 privilege, work product.

15 If you can answer without what you were told
16 by your workers' comp attorney, go ahead.

10:50:25

17 THE WITNESS: No.

18 BY MR. CATALONA:

19 Q You need to answer out loud, sir.

20 A No.

10:50:38

21 Q No, you don't know why you and your attorney
22 waited until September 23, 2014, to file this claim;
23 is that true?

24 MS. LI: Same objections.

25 THE WITNESS: Correct.

10:50:49

1 A I think that's the toxicologist.

2 Q He's a toxicologist you saw for your
3 workers' comp case?

4 A Yes, sir.

5 Q Please look at all four exhibits. Is that 10:53:24
6 your writing and is that your signature at the bottom
7 of the exhibits, or maybe sometimes it's at the top,
8 sometimes at the very beginning?

9 A Some of these are not my handwriting.

10 Q Okay. Which one or ones are not your 10:54:14
11 handwriting?

12 A Exhibit 34. It's not my handwriting.
13 Exhibit 33, it is my handwriting.

14 Q Okay. How about Exhibit 35?

15 A It doesn't appear to be my handwriting. 10:55:02

16 Q On Exhibit 35, why don't you turn to
17 page 53. It's the third page or the second page.

18 A Yes.

19 Q Under history of injury, exposure on the
20 job, can you read any of that writing? 10:55:36

21 A No.

22 Q Is any of that writing your handwriting?

23 A No.

24 Q Let's go to the next exhibit. Let's go to

25 Exhibit 36. That's your handwriting? 10:55:54

1 A It sure looks like.

2 Q Okay. Turn to page 72, please.

3 A There's no page 72. It goes from 70 to 78.

4 Q Let's see. Huh.

5 Turn to page 72 in that document. It 10:57:07

6 appears the one you had was out of order. Do you see

7 page 72? Okay. Do you see on the bottom it says:

8 "For environmental exposures,

9 describe the dates of your

10 exposure." 10:57:26

11 Do you see that?

12 A No.

13 Q Do you see it right there?

14 A Oh, yeah.

15 Q Okay. What did you write in response to 10:57:33

16 that question?

17 A I work with chemicals at all times. Times

18 that I was in charge of replacing fume filters, repair

19 the conformal coating equipment, also order parts for

20 the equipment. My employer bypass switch on the 10:57:58

21 equipment.

22 Q Okay. I'm just going to read it again just

23 to make sure we're clear. It says:

24 "I worked with chemicals all the

25 time. I was in charge of 10:58:15

1 replacing fume filter and repair
2 the conformal coat equipment,
3 also order parts for the
4 equipment. My employer bypassed
5 the safety switch on the
6 equipment."

10:58:28

7 Is that what it says?

8 A That's what it reads, yes.

9 Q Is that what it says?

10 A Yes.

10:58:35

11 Q Okay. Thank you. On page 76 -- ah, yes.

12 Turn to page 76. Do you see where it asked you to
13 name and describe any and all chemicals which you were
14 exposed to?

15 A Part 3?

10:59:26

16 Q Yes. No. Yeah. Part 3. Exactly. Strike
17 that.

18 On page 76 -- can you turn to page 76.

19 A Yes, sir. Let me see what this -- it

20 doesn't have the date. This document is not dated.

10:59:46

21 Q Okay. On page 76, it asks you to name and
22 describe any and all chemicals which you were exposed
23 to. Can you please turn to page 76.

24 A Yes. But can we first be on the record

25 which is the date of this document?

11:00:11

1 MS. LI: It's on the last page.

2 BY MR. CATALONA:

3 Q It says on the last page. All of these are
4 the same date.

5 MS. LI: Your last page is different from my 11:00:24
6 last page.

7 MR. CATALONA: That's just a printout.

8 THE WITNESS: Yes.

9 BY MR. CATALONA:

10 Q Okay. So it says -- okay. Go back to 11:00:34
11 page 76. Do you see where it asks you to name and
12 describe any and all chemicals you were exposed to?

13 A Yes, sir.

14 Q What did you write in response to that
15 question? 11:00:50

16 A Isopropyl alcohol, solder wire, Arathane,
17 HumiSeal, and HumiSeal.

18 Q And HumiSeal thinner 521.

19 A Yes.

20 Q And these are the chemicals from the MSDS 11:01:01
21 sheets that we already talked about?

22 A I believe so, yes.

23 Q It says you were exposed to these chemicals
24 from breathing, working with hands, repairing
25 equipment and filters; right? 11:01:19

1 A That's what it says.

2 Q And that's what you wrote?

3 A Yes.

4 Q Okay. You wrote that you were exposed to
5 these chemicals four to five hours per day?

11:01:31

6 A That's what it says, yes.

7 Q Turn to the next page. You stated that you
8 inhaled these chemicals; right?

9 A Correct.

10 Q You stated that when you inhaled the
11 chemicals, you were tired, got a headache, and became
12 dizzy; right?

11:01:49

13 A Where? Which paragraph, sir?

14 Q The very top.

15 MS. LI: It doesn't say when you inhale,
16 would you. It says:

11:02:06

17 "If yes, did you feel sick, and
18 if so, describe what you felt."

19 MR. CATALONA: Okay. If that's how you want
20 him to answer it.

11:02:17

21 MS. LI: That's what it says. You just
22 re-worded it.

23 BY MR. CATALONA:

24 Q First it says:

25 "Did you inhale these chemicals?"

1 And you circled "yes"; correct?

2 A Yes.

3 Q Then it says:

4 "If yes, would you feel sick, and
5 if so, describe what you felt."

11:02:32

6 And you wrote "tired, headache, dizzy";
7 correct?

8 A Correct.

9 Q Okay. Down near the bottom it says --
10 strike that.

11 Near the bottom, it asks:

12 "Did you develop headaches at the
13 time of exposure (i.e. immediate,
14 severe, hours while exposed)?"

15 Answer, "yes." Do you see that?

11:03:28

16 A Did you develop headaches at the time of
17 exposure. Yes.

18 Q It asks -- strike that.

19 At the top, the second section of this
20 document, it asked:

11:04:00

21 "Did you have skin contact with
22 these chemicals?"

23 And you circled "yes"; correct?

24 A Yes.

25 Q Then it says:

11:04:09

1 "How often, how many hours per
2 day, days per week?"

3 And you stated:

4 "Four to five every day."

5 A Correct. 11:04:19

6 Q Then it says:

7 "If yes, did you experience any
8 reaction, symptoms, and if so,
9 describe, i.e., smell, burning of
10 the eyes, cough, et cetera." 11:04:39

11 And your answer was:

12 "Nausea, dizziness, burning of
13 the eyes."

14 Correct?

15 A Correct. 11:04:50

16 Q Please turn the page. Do you see the part
17 about ventilation?

18 A Yes.

19 Q The question is "How was the ventilation,"
20 and your choices were excellent, good, average, poor, 11:05:19
21 or none, and you circled the word "poor." Do you see
22 that?

23 A Yes.

24 Q You stated that you were not given any
25 personal protective devices; correct? 11:05:36

1 Your aneurysm surgery was in January 2013?

2 A Correct.

3 Q And you had headaches before that; correct?

4 A I had symptoms. Not just headaches.

5 Q Not just headaches, but you had really bad 11:12:58
6 headaches before that.

7 A Not just headaches.

8 Q Not just headaches, but you did have
9 headaches.

10 A I went through different physicians -- 11:13:06

11 Q Sure.

12 A -- and they did a bunch of tests where
13 they --

14 Q Right.

15 A -- they thought my balance was off. 11:13:13

16 Q Right.

17 A They thought I got double vision.

18 Q Right. I totally get that. I'm just trying

19 to find out the timing here. So in other words,

20 you're saying that you started having headaches, and 11:13:24

21 your aneurysm, all of that stuff predated any of your
22 exposure to chemicals.

23 A How can that -- it just doesn't -- you're
24 not making any sense. If my work started in 2012 and
25 my symptoms started occurring in mid-2012, how can 11:13:45

1 what is the second floor or the mezzanine or whatever
2 they want to call it, then that's when they installed.
3 What date and what time was that installed, I don't
4 know. But when I first start working there, the bath
5 wash area was not next to me, and it was really small
6 compared to the second wash. Does that make sense?

11:15:18

7 Q You started working at SpaceX in
8 January 2012.

9 A That's what the record shows, yes.

10 Q And when did you start being exposed to
11 toxic chemicals at SpaceX? How soon after you started
12 working there?

11:15:34

13 A Okay. There's a period.

14 Q Yeah.

15 A And you probably don't know or you might
16 know when you start working in a company, there's an
17 introduction period.

11:15:49

18 Q Sure. I get it.

19 A I would say within a week or two or few days
20 thereafter I start working there.

11:16:03

21 Q Okay.

22 A Because you have to become familiar with the
23 product.

24 Q Sure. So after a couple of weeks or maybe
25 even a month?

11:16:12

1 A No. It wouldn't be a month.

2 Q It would be a month?

3 A It wouldn't be a month.

4 Q Oh, it wouldn't be a month. So after two or
5 three weeks tops?

11:16:22

6 A I think two weeks most.

7 Q Okay. You started working at SpaceX in
8 January 2012. After two weeks at most, you started
9 being exposed to toxic chemicals; correct?

10 A I start to work in the PVA machine, yes.

11:16:35

11 Q And then you developed your aneurysm and
12 headaches by January of 2013. So that was afterwards;
13 right?

14 A But you're putting together in the same
15 basket aneurysm with the headaches. You put it in the
16 same basket. Do you see that? You put in the --

11:16:57

17 Q Yeah, I am.

18 A Well, it doesn't.

19 Q Okay. Then I'll break it up. I'll break it
20 up, then. So your headaches started in the summer of
21 2012.

11:17:09

22 A Sometime in the middle of 2012, yes.

23 Q And then your aneurysm surgery was January
24 of 2013.

25 A Correct.

11:17:24

1 Q Okay. What does an SMT programmer do?

2 A Program SMT machines.

3 Q And are you saying the PVA350 is not a SMT
4 machine?

5 A Oh, gosh.

6 Q Just yes or no is fine.

7 A Because you don't seem to get it. You don't
8 get it, Mr. Catalonia.

9 Q I'm trying to create a record.

10 A And I'm trying to make the record straight 11:47:01
11 that one has -- they are two separate entities.

12 Q That's fine. Okay? That's fine.

13 A But I keep telling you that, and you say --

14 Q You talked about --

15 A -- you're telling me it's not or you're 11:47:14
16 telling -- no.

17 Q What kind of machine does an SMT programmer
18 program?

19 A See, you're not making sense. What kind of
20 machine an SMT machine programs? 11:47:24

21 Q No. That's not what I said.

22 THE WITNESS: Can you repeat, please, the
23 question. That's what I just said.

24 (Record read.)

25 THE WITNESS: Oh. Program. My bad. He 11:47:38

1 programs SMT machines.

2 BY MR. CATALONA:

3 Q And what -- strike that.

4 Explain what is an SMT machine.

5 A It's a pick-and-place machine. That means 11:47:50
6 self-explanatory, picks one part, places one part,
7 picks one part, places one part.

8 Q Thank you.

9 A Well, I'm --

10 Q That's a really good explanation. You 11:48:04
11 haven't explained that yet. So that is important so
12 we have that on the record. Thank you. Okay.

13 A So what that has to do with conformal
14 coating? Nothing.

15 Q Were there any SMT machines in any of the 11:48:20
16 spaces where you worked at SpaceX?

17 A Again, define "space." I moved all over the
18 place.

19 Q Okay. The first space would be the large
20 room that the conformal coating room was in. Were 11:48:36
21 there any SMT machines in that area?

22 A Are you going to let me explain to you now,
23 or are you going to keep cutting me off, Mr. Catalona?
24 Because I've been trying to explain to you this from
25 the beginning. I really do. I'm trying to be as much

1 as honest as possible for you to understand, but you
2 keep making faces and making.

3 I was -- again, I was hired as an SMT
4 programmer. At the time of my employment, the SMT
5 line was just a drawing, an idea to start building our 11:49:06
6 own boards in-house. So in the meantime, I was told
7 to work on the PVA machine.

8 Q Okay. Okay. I think the answer is no.
9 There were no SMT machines. That's all I wanted to
10 know. 11:49:31

11 A Thereafter, there was a purchase of a
12 complete line for SMT that I helped to develop
13 programs and processes. Okay? But they had
14 nothing to do -- the two technologies are completely
15 separate, Mr. Catalonia. 11:49:47

16 Q When did they start having SMT machines at
17 SpaceX?

18 A I don't remember that. I don't know the
19 date.

20 Q How many months had you worked there when 11:49:57
21 that happened?

22 A I don't know that.

23 Q More than a year?

24 A I don't remember. If I say I don't
25 remember, that means I don't remember. 11:50:05

1 Q Okay. I'm going to hand you Exhibit 37.

2 (Exhibit 37 was marked for identification.)

3 THE WITNESS: Are we done with this?

4 BY MR. CATALONA:

5 Q Sure. Sure.

11:50:13

6 A See how nice you look like when you calm
7 down? You're not supposed to scream at me. I'm not
8 your enemy. I don't even know you.

9 Q Okay. This is an e-mail dated 9/6/14. Did
10 you send this e-mail? Please turn to the first page.

11:50:38

11 A Yes. What about it?

12 Q Okay. Do you see that it attaches a
13 document entitled letter to SpaceX? On the first
14 page.

15 A Yes.

11:50:58

16 Q Okay. Please turn to the following pages.
17 Is that the document that was attached to your e-mail
18 to Mike Lynch?

19 A I don't remember. I cannot tell you.

20 Q Let me just tell you SpaceX produced this,
21 and that is the attachment to that e-mail.

11:51:11

22 A Okay. If they say it is.

23 Q You have no reason to dispute that; right?

24 A Unless -- I don't know. Like I said, I
25 don't know.

11:51:29

1 Q Well, turn to the last page. At the very
2 end, it says, "Regards, Ruben Juarez." Do you
3 remember that?

4 A It could be, yeah.

5 Q Okay. Okay. So let's go back to the first 11:51:43
6 page. Why did you send that document to SpaceX?

7 A I don't remember.

8 Q The red parts in the document are e-mails
9 that you cut and pasted into that document; right?

10 A I don't remember, Mr. Catalona. 11:52:06

11 Q Is this your writing when you write this:

12 "Hi Mike, I would like to know my
13 current status at SpaceX."

14 Did you write that?

15 A I don't remember. Like I said, I've been to 11:52:22
16 many doctors and many medications. Probably one of
17 them is memory problems.

18 Q Okay. So you don't remember this, but you
19 can't say whether or not you sent this letter?

20 MS. LI: Asked and answered, harassing the 11:52:37
21 client.

22 THE WITNESS: I already told you I don't
23 remember.

24 BY MR. CATALONA:

25 Q You wrote:

1 saying they missed my files, they didn't have the
2 files, and so forth and so on. I would love to. I
3 was -- the only thing how do I know to do,
4 Mr. Catalona, to work.

5 Q Did you --

6 A And I was vehemently trying to return to
7 work. And as a result of that, I end up in the
8 hospital. So I was trying to. I was -- all what I
9 was asking was to be able to return to work even
10 part-time.

11:55:26

11 Q Okay. Now, please turn to the last page and
12 look at the e-mail that you -- strike that.

13 Please turn to the last page and look at the
14 very end, the black portion of this letter to SpaceX,
15 which is the attachment to this exhibit, Exhibit 37.

11:55:59

16 Do you see where it says, quote:

17 "No job in this word [sic] is
18 worth me going" --

19 A Where were you reading, Mr. Catalona? Can
20 you point that out to me, please.

11:56:21

21 Q Sure. In the last paragraph of this
22 document, which is Exhibit 37. Do you see where it
23 says:

24 "No job in this word [sic] is
25 worth me going to the ER room

11:56:36

1 every week due to toxic work
2 environment."

3 A Yes.

4 Q What did you mean by that?

5 A As I stated, they were -- I start working as 11:56:48
6 a programmer. We have that clear. Thereafter, they
7 were telling me that I was not a programmer. They
8 were telling me that I was a technician, which I
9 never -- why would I go from manufacturing engineer to
10 a technician? It doesn't make sense. 11:57:17

11 So it's probably here somewhere, and what I
12 say to Gregory Maxwell, that oh, no, I'm not a
13 technician. You try to treat me as a technician.
14 That, I remember. Let me see.

15 "Maxwell, you can put it any way 11:57:38
16 you like. I know what I told
17 you. I was hired as an equipment
18 specialist. After a few months,
19 I inform manager that SpaceX were
20 going to remove all the 11:57:49
21 specialists but not to worry,
22 that all would remain the same
23 for me. I was getting ready to
24 do the programming for all the
25 SMT machines; so the title did 11:57:56

1 Mr. Maxwell, he offered me a lead position prior to my
2 last hospitalization because they thought I was such a
3 good employee.

4 Q And you --

5 A And I was trying to return to work, 11:59:18
6 Mr. Catalona. I was doing everything possible. Even
7 asking my doctors to allow me to return to work even
8 as a part-time. And as you can see here, it says
9 something about part-time, and they denied me. They
10 said no, there's no part-times. We don't have 11:59:37
11 part-times here.

12 And under ADA, American with Disabilities
13 Act, if you're part of a contract for the government,
14 you should be able to be have some kind of
15 accommodation for you to return to work. So no, I'm 11:59:48
16 not a freeloader. I was trying to provide for my
17 family. Okay?

18 That's what I was referring to a toxic work
19 environment. I didn't want to come back for them to
20 harass me and telling me oh, no, whatever, you're just 12:00:02
21 a technician. That's what I was trying to avoid. I'm
22 going to return to work, but I want to go back to work
23 as what we discussed at the beginning, SMT programmer
24 and work with the PVA machine. Work as a programmer
25 at all. That was my title. A programmer in all 12:00:22

1 machines. Okay?

2 Q Okay. So you went to the emergency room
3 because you were in a toxic work environment.

4 A No, I didn't go for -- I say I don't want to
5 end up -- see, right now our interaction is not

12:00:46

6 friendly. It's not even cordial. Okay? I didn't
7 want them to do. When I said not a job on this earth

8 is worth for me to end up in the work environment, it
9 is because I didn't want to be arguing with them about

10 oh, no, you're a programmer, no, you're a technician.

12:01:08

11 I didn't want that. I want them to say okay, you're
12 going to return to work, Ruben, doing the same thing
13 that you were doing.

14 Q Okay. Did you go to the emergency room due
15 to working in a toxic work environment?

12:01:20

16 A Again, toxic as a --

17 Q However you want to define it.

18 A No. You're asking the question, not me.

19 Q So you can't answer that question?

20 A Yes. I can answer you.

12:01:35

21 Q Okay. Good.

22 A Please narrow down what you mean by "toxic."

23 Do you mean human interaction?

24 Q I mean what you said in the last paragraph
25 of your letter.

12:01:47

1 asking you about Dr. Andiman or any forms or anything.

2 What I'm asking you about was at the time that you

3 were going through these problems, you had a

4 disability, and the disability had to do with your

5 migraines. That was causing you to miss a lot of

12:09:33

6 work; right?

7 A When?

8 Q When you were missing a lot of work at

9 SpaceX.

10 A There is different periods, Mr. Catalona.

12:09:44

11 Q Okay. Right around the time that you

12 finally left SpaceX in March of 2014, you left because

13 of your disability, which was your migraines.

14 A Yes. I left due to having not only migraine

15 but other symptoms.

12:10:05

16 Q Right. Exactly. And that was putting you

17 in the emergency room.

18 A That was hospitalizing me, yes.

19 Q And --

20 A But this had nothing to do with it. This

12:10:19

21 is -- you're trying to put together, everything

22 together. You don't seem to have a timeline. This is

23 after I left. This is the third time I was trying to

24 return to work. Does that make sense now? I tried to

25 return to work twice, and both times I end up in the

12:10:38

1 hospitalized.

2 Q Because of your migraines and other
3 symptoms.

4 A You have to ask that doctors. I don't know
5 why. I didn't felt good, I went to the hospital, and
6 then you have to read the medical reports, whatever
7 they may be. Okay? This is the third time that I was
8 trying to return to work, and you tell me why didn't
9 you return to work. And I keep telling you I don't
10 know. You have to ask that to SpaceX. I provide
11 SpaceX with my ADA, they told me they lost it.

12:10:51

12:11:10

12 Then I think a manager from SpaceX HR
13 department said don't worry about it, we'll have a
14 conversation. And then I waited a couple weeks and
15 she never called me. I called back, and they said
16 she's no longer working with us.

12:11:31

17 Q Okay. Let's go to this here. This is the
18 third page of Exhibit 37. There's a big paragraph
19 that you wrote in red. It begins "Maxwell." And in
20 the middle of the paragraph, you said:

12:12:02

21 "It is very easy. Just tell HR
22 that you don't need a sick
23 person, and that is the end.
24 Don't have to worry anymore about
25 me getting to work or calling in

12:12:15

1 late due to my disability."

2 When you said "a sick person," you were
3 referring to yourself; right?

4 A Yes.

5 Q And what did you mean by "a sick person"? 12:12:27

6 A A person who has health problems.

7 Q And your health problems were your migraines
8 and your aneurysm and --

9 A Not aneurysm.

10 Q -- symptoms. Okay. Your migraines and your 12:12:44
11 symptoms.

12 A The aneurysm was ruled out. I -- you can
13 laugh or whatever you want, Mr. Catalonia.

14 Q I'm not laughing.

15 A Well, you're making gestures that you're, 12:12:50
16 like --

17 Q No, I'm not, sir.

18 A -- smiling. Okay. But anyway, it may not
19 be relevant for you, but it is for me. So if you read
20 Dr. Michael Alexander records where he said that my 12:13:02
21 aneurysm is stable. It has nothing to do with it.

22 And my migraines started before the aneurysm. And the
23 aneurysm, he then conveys saying that in several
24 visits that I had with neurosurgeon Michael Alexander,
25 who is the director of neurology, neurosurgery, at 12:13:26

1 Cedars-Sinai, that my aneurysm is not related to my
2 neurological conditions.

3 Q Okay. So when you said you were a sick
4 person, you were talking about your neurological
5 conditions.

12:13:43

6 A Neurological problems, yes.

7 Q And when you were talking about your
8 disability, you were talking about your neurological
9 problems; right?

10 A Limitations.

12:13:49

11 Q Okay. Let's turn to Exhibit 38. You can
12 give me that.

13 A Are we done with this?

14 Q Yes.

15 (Exhibit 38 was marked for identification.)

16 BY MR. CATALONA:

17 Q Do you remember seeing Dr. Windman? This is
18 a report from Gayle Windman, Ph.D., treating
19 psychologist's report.

20 A No. I don't remember. This is the first
21 time I see this document.

12:14:16

22 Q Do you remember that she was hired to
23 evaluate you for your workers' compensation case?

24 A Like I say, I don't remember.

25 Q Okay. So you don't remember this document.

12:14:29

1 Do you remember seeing a psychologist for your
2 workers' compensation case?

3 A Yes, sir.

4 Q How many times did you see your
5 psychologist?

12:14:43

6 A I don't count.

7 Q Do you remember her taking an exhaustive
8 history of you?

9 A No. I don't remember.

10 Q Okay. Turn to page 3 of this document. Do
11 you see the portion of this page that is called
12 history of the work injury?

12:14:52

13 A Yes, sir.

14 Q Okay. Do you see the section entitled --
15 strike that.

16 Look at the fifth paragraph.

17 A Uh-huh.

18 Q It says:

19 "A few months after he began

20 working at SpaceX, Mr. Juarez

12:15:34

21 developed symptoms of migraine

22 headaches, dizziness, difficulty

23 walking, and sinus symptoms due

24 to exposure to electronic

25 materials such as tin and lead,

12:15:46

1 to exposure to electronic
2 materials such as tin and lead,
3 chemical coatings such as
4 Arathane and HumiSeal, and
5 cleaning substances such as
6 thinners and isopropyl alcohol.
7 He reported this issue to his
8 supervisor to no avail."

9 Can you think of what supervisor she is
10 referring to?

12:18:58

11 A I didn't wrote this.

12 MS. LI: Lacks foundation, calls for
13 speculation.

14 Go ahead.

15 THE WITNESS: I didn't wrote this document.

12:19:03

16 So I cannot tell you what she was referring to.

17 BY MR. CATALONA:

18 Q Okay. Let me put it this way. Did any of
19 your supervisors ever do anything to limit the
20 exposure to electronic materials such as tin and lead,
21 chemical coatings such as Arathane and HumiSeal, and
22 cleaning substances such as thinners and isopropyl
23 alcohol?

12:19:38

24 A Did any of my supervisors.

25 Q Yeah. Did they ever do anything to fix

12:19:54

1 those problems?

2 A Let me think about that. I only had one
3 supervisor.

4 Q Did he ever do anything to fix those
5 problems?

12:20:12

6 A He was mainly in his office. He didn't --
7 he wasn't that much on the production area. Not that
8 I know. You have to ask them.

9 Q So did he do anything to fix any of those
10 problems?

12:20:27

11 A I said not that I know. You have to ask
12 them.

13 Q Okay. Are you talking about Mr. Pena?

14 A Well, there were several.

15 Q Did Mr. Pena ever do anything to help the
16 work environment at SpaceX?

12:20:41

17 A You're trying to make me think about what he
18 did or he didn't do. I don't follow him. Like I
19 said, when you work in a high-paced environment, you
20 worry about what you do, not what everybody else does.

12:21:00

21 Q Yeah. If you don't know, that's fine.

22 A I already told you I don't know.

23 Q But you didn't say that. So --

24 MS. LI: He said, "Not that I'm aware of."

25 He did say that twice.

12:21:10

1 He reported this issue to his
2 supervisor to no avail."

3 One of the things you said in that paragraph
4 was "cleaning substances such as thinners and
5 isopropyl alcohol." And what thinners were cleaning
6 substances?

12:33:12

7 A We went over this before, Mr. Catalonia.
8 There was only one thinner.

9 Q Oh.

10 A I didn't -- again, this is the first time I
11 see this report. I don't know whether this report was
12 output -- this is an interview, or I don't know if it
13 was just an output that the person who wrote it based
14 it on my medical report, typed it out. So I don't
15 know if this was actual interview or what it is. I
16 never seen this document.

12:33:26

12:33:44

17 Q So wait. The thinner that we're talking
18 about was HumiSeal 521 thinner?

19 A Yeah. Whatever it was.

20 Q Okay. On the first page of this document,
21 Exhibit 38, it states:

12:34:04

22 "Gentlepersons, Mr. Ruben Juarez,
23 a 46-year-old equipment
24 specialist for Space Exploration
25 Technology/SpaceX completed

12:34:22

1 psychological evaluation and
2 testing on 3/31/16 at the Van
3 Nuys Hamlin Street office."

4 Do you remember doing that?

5 A It was more like a multiple choice test. 12:34:34

6 Q Turn to the last page.

7 A Yes.

8 Q It says Gayle K. Windman, Ph.D. Does that
9 ring any bells with you?

10 A No. I'm not good with names. So even if 12:35:34
11 you just tell me names, I'm not good with names.

12 Q Okay. Let's go off the record.

13 THE VIDEOGRAPHER: We are off the record at
14 12:34 P.M.

15 (A recess was taken.) 12:42:19

16 THE VIDEOGRAPHER: We are back on the record
17 at 12:41 P.M.

18 BY MR. CATALONA:

19 Q Okay. This is Exhibit 39.

20 (Exhibit 39 was marked for identification.)

21 BY MR. CATALONA:

22 Q This is a medical record from Isaac Regev,
23 M.D. Do you remember who that guy is?

24 A No, sir.

25 Q Turn to page 17. And look at the paragraph 12:42:45

1 sent by workers' compensation.

2 Q That sounds right.

3 A And at the time I consulted him, I believe
4 that I was under the impression that alcohol was the
5 cause -- the bath wash that we talked about on the
6 second conformal coating room 2 -- you labeled it like
7 that, Mr. Catalona?

12:44:53

8 Q Yes.

9 A Conformal coating No. 2, I was under the
10 impression that the wash area installed right next to
11 me, I thought there were some chemicals used there.
12 But after we find out they were just alcohol, not
13 chemicals but just alcohol and lead-free solder used
14 in that area, then that cleared that up.

12:45:14

15 Q Okay. But at this time, you knew -- strike
16 that.

12:45:42

17 At this time, you suspected that toxic
18 exposure was the cause; right?

19 A Yeah. I guess so, yeah.

20 Q Okay.

12:45:54

21 A Trying to look at what the date is.

22 Q It's right on the front page.

23 I'm going to give you this exhibit.

24 (Exhibit 40 was marked for identification.)

25 THE WITNESS: This, Mr. Catalona, I was not

12:46:04

1 MR. CATALONA: Okay. We're back on the
2 record. I just wanted to make a brief record about
3 Exhibit 19, which is the stipulated protective order
4 that is an order from the court which pertains to
5 Exhibits 20, 21, and 22. These are confidential
6 documents produced pursuant to the protective order.
7 There are procedures in the protective order regarding
8 these documents. And they are marked confidential.
9 And that means the court reporter and the court
10 reporting firm should not produce these documents,
11 Exhibits 20, 21, and 22, to any third party to this
12 litigation unless there is a signed acknowledgment and
13 agreement to be bound, which is page 16 of Exhibit 19.
14 That's it.

15
16 (The deposition concluded at 1:05 P.M.)
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